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EXTRACTS  
FROM  
THE RECORDS OF  
THE BURGH OF EDINBURGH

1626 TO 1641.

EDITED BY  
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Keeper of the Burgh Records.



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## PREFACE.

THE story of the City of Edinburgh from its own Records which had been brought down to the year 1626 in the last volume of Extracts, authorised by the Corporation and published in 1931, is now continued by their authority to the year 1641.

The period covered by the present volume is comparatively brief, but is of considerable importance in the history of the Capital, as of the whole of Scotland. Although much has been written and published on the events of this critical time, the present Extracts will be found to give many details of the relations between Charles I. and the Town Council of Edinburgh, not noted by previous writers.

The appendices have been selected so far as possible to afford further commentary on the text. They also serve to show the importance of the City's collection of Charters and miscellaneous documents, hardly yet drawn upon for purposes of research.

Like its two predecessors, this volume has been prepared by Miss Marguerite Wood, Keeper of the Burgh Records. She has exercised her usual skill and care in the selection of extracts to illustrate the national and social history of this difficult period of history. Her notes and appendices have been arranged to provide all available information for those who have occasion to study the events of the years which this volume covers.

Thanks are due for the continued interest of Professor R. K. Hannay, Historiographer Royal in the work and his helpful criticism as to the introduction.

D. ROBERTSON,  
*Town Clerk.*

CITY CHAMBERS,  
*January 1936.*

pocket. The exact converse was true of his son. Charles, astonishingly well-informed about the affairs of the Town for one who obtained all his information from others, did not confine himself to granting the many requests of the Town Council, but made demands upon them for reforms which he desired and apportioned his favours as a return for their fulfilment. It is only too easy to see how he incurred the resentment of the Town, unused to so mercantile a form of dealing between the Crown and the Capital. Trouble arose, too, not so much from the demands of the King upon the Town, great as they undeniably were, as from the deliberation with which he considered their requests.

The taxation exacted was heavier and more regular than that of at least the earlier part of his father's reign, but at that time the Town was prosperous. Unfortunately taxation was inevitable, the result of the breakdown of much of the feudal system in Scotland. The great need of the Crown was money : the Crown estates had diminished ; the old system by which the King in his progresses lived on his rents in kind had fallen into desuetude even before the Union of the Crowns and the departure of the Court to England ; the revenue from the customs was not sufficient for the expenses of the royal household. Hence the King was thrown upon the novel and unpleasing necessity of regular taxation. In times of peace this would have been necessary, but the commitments of the King's foreign policy required the maintenance of an army, and, even had the idea of the "host" survived, it would have been inadequate for campaigning overseas. Again, with special regard to Edinburgh, there was not and did not emerge for very many years, any idea that the Crown should be liable for buildings for the use of the King's officials.

Such being the case, the burgh was called upon, in common with the rest of Scotland, to contribute regularly and largely to the relief of the Crown's necessities, a state of affairs vexatious as an innovation. It was part of the ill-fortune of the Stewarts to have to initiate these changes. That they were inevitable was proved by subsequent history. The Town was to discover, as years went by, that to wage war against the King was at least as expensive as to assist him, that the Committee of Estates were, if anything, more exacting than the King's Collector-General and less easy to hoodwink, and that from the demands of a military occupation no evasion was possible.

As a consequence of the relations between Crown and Burgh, communications between the two form an even more conspicuous part of the records than during the latter part of the reign of James VI. The post of agent at Court, established after the departure of that King to England and held by Mr Patrick Hamilton, seems soon to have been found unsatisfactory. The reason is apparent : in a day when communication was slow and untrustworthy, it was easier to send a messenger, conversant with the business in hand and possessed of full credentials to deal with it, than to send copious instructions by letters. Hence, for the greater part of the time, the Town Council despatched commissioners to Court, sometimes the clerk-depute, sometimes members of the Council.

It is interesting to note how an old habit, born of familiarity with the sovereign, died hard. The Town Council, by the number and often the triviality of their requests, show that they had no conception of the greater variety of responsibilities lying on the King, now also King of England, which might prevent his immediate consideration of their requests. The very nature of some of these requests, notably with regard to their interests in France, shows that they were ignorant of, or ignored the ramifications of the foreign policy of the King, which ran counter frequently to Scottish requirements.

The story of the relations between Charles I. and the Town Council opens in June 1626, when the depute-clerk, Sir John Hay, recently returned from Court, presented the King's letter which accepted the Town's offer for the provision of a fleet. This, while commending them for their willingness to obey him and promising that the demand should form no precedent, asked that the money might be forthcoming to pay for the ships, already obtained by him. The Council at once took steps for the collection of the first instalment of the tax and the borrowing of the balance. His next communication found them less complaisant. It concerned the raising of the ministers' stipends, and the Town Council answered, sufficiently curtly, that the matter had been settled and that the Common Good could bear no more. The final part of their answering letter insisting—the word is their own—that steps should be taken for settling the affairs of the late George Heriot is tantamount to a reminder of the King's own indebtedness to the jeweller.

This question of the raising of the ministers' stipends was one point of the ecclesiastical policy which bred such ill-feeling throughout Scotland and perhaps even more than the matter of the Service Book led to the uprising against the King's church policy and to the National Covenant. It is open to conjecture whether the nobility and landed men of the country would have joined so whole-heartedly with the ministers in opposition to the King, had he not previously alienated them by his general revocation. The burgh was not greatly affected by the general revocation in this particular instance, but the question of stipends had been a sore subject for long. Whether through careless administration of the church lands donated by Queen Mary and confirmed by her son, or through their inadequacy for the purpose and the difficulty in collecting them, much of the stipends had to be found either from the Common Good or from the Council's "eiks" to the royal taxation, and any examination of their finance was doubtless the last thing that they desired. The matter apparently was dropped until some years later, when concessions were made by the King which rendered it possible to increase the stipends.

The contribution by the Town towards the navy received recognition in Charles' letter to the Council of 3rd March 1627, when he sent a sword and gown to the Provost, a confirmation on his part of the honour bestowed by his father in 1609. The compliment, however, was the prelude to urging the Council to continue its assistance for the defence of the realm and to encourage the other burghs to follow the Good Town's example. In this the King was to be disappointed. His invitation to the magistrates in September of the



same year to help the Earl of Morton to recruit troops for the relief expedition to the Isle of Ré met with a very poor response.<sup>1</sup> Possibly it was not the fault of the Council, whose proclamation promised substantial reward to those who should enlist, and it may be that the inhabitants of Edinburgh did not relish the prospect of fighting against France, with whom they had important trading as well as sentimental ties.

The one part of King Charles' ecclesiastical policy which took effect was the scheme regarding the teinds, permitting proprietors of lands to acquire their own teinds by purchase from the titulars. It was a much-needed reform, for which the King deserved a gratitude which he did not receive. There is comparatively little mention of the matter in the actual Council records, but the correspondence of Mr John Hay throws light on the persuasion necessary to make the Council agree to the submission as to the teinds.<sup>2</sup> This they did in June 1628.

About a month later came the King's letter announcing his proposed visit to Scotland for his coronation and to hold a Parliament. The Council appreciated the importance of the impending event and ordered a search to be made in their records for precedents, issued an order as to the costume of the magistrates on the occasion and elected a committee to supervise details of a reception. Mr John Hay, who had delivered the address of welcome to James VI. in 1617, was chosen for the same task. But the King did not come, and Hay, a few months later, was once more at Court, charged with various commissions, including the Council's protest against the proposed holding of circuit courts. In this last matter the King apparently was of an open mind, for the holding of these courts was postponed for a year. The question re-emerged exactly a year later, when Hay, almost concurrently with the Town's appeal as to the conflicting rights of the High Constable and the magistrates, was charged to petition Charles as to the injury to the Town's privileges by the renewed proposal as to these courts. Another matter was also confided to him, the trading privileges of the nation in France "interrupted," as they alleged and as was doubtless the case, owing to the difficult relations between England and France—a proof, if need were, how far England and Scotland were apart, in spite of the Union of the Crowns.

During the rest of the year 1629, communication between Edinburgh and the Court was slight. At the beginning of 1630 arose the important question of the Town's new charter. The commencement of the matter is not stated, but it is probable that the Council had desired the confirmation of the charter granted by James VI. in 1603, and that, upon its production, exception had been taken to some of its contents. Actually the Town Council admitted that several of the grants made in it were excessive, containing "manie straining clausis quhilk ar not competent to ane subject," an admission

<sup>1</sup> See Sir Charles Petrie's *Letters, Speeches and Proclamations of King Charles I.*, p. 50, where, in a letter to the Duke of Buckingham, dated 3rd August 1627, the King promises him two thousand men from Scotland.

<sup>2</sup> Appendix i.

which was more a diplomatic necessity than a proof that they would cease to claim the benefit of the grants they disavowed. They volunteered the resignation of certain disputed rights, including those of regality, of the escheats of criminals and others put to the horn, and of the Castle banks. In condonation of other favours, which might also have been regarded as excessive, they pled their responsibilities as the capital and chief taxpayer of the Burghs. Some days later, they offered to accept the restriction of the power of the Town's courts to the actual bounds of Edinburgh, not the extensive ones contained in the charter of 1603, a decision wise in that it avoided the danger of interference with the neighbouring nobility and landed gentry.

In March 1631 the Town Council again had resort to the King in a matter peculiarly concerning the burgh, a proposed change in the terms of the Court of Session. The alteration involved the curtailing of the terms by about five weeks and the Council viewed this with disfavour as hurtful to the inhabitants, whose profits by the sojourn of litigants and others would be diminished correspondingly. The incident seems a slight one, but it is interesting as showing how well the Town Council were kept in touch with Court, for, whether by Mr John Hay or some other sympathiser, they were acquainted with the proposal about a week before the Privy Council made public the King's communication. They followed their first appeal by a second more insistent message demanding not only postponement, but complete abandonment of the reform, and it again may be taken as illustrative of the King's willingness to conciliate the Town that he wrote remitting the final settlement to a Parliament or Convention of Estates.

In December of that year another rumour of Charles' coming to Edinburgh in the following spring, revived proposals for his reception, again disappointed. Three months later, in March 1632, the Council, having co-opted a number of the "honest neighbours" to assist them, introduced the proposal of building the Parliament House. The only reasons given for the undertaking were that the accommodation for Parliament, the Court of Session, the Exchequer and other Crown officials was inadequate and that it was unseemly that part of St. Giles should be set aside for secular uses. There was no allusion in their proceedings of any outside influence brought to bear upon them, beyond the implication in the latter reason—for, judging by the uses to which the Council had put the Church since the Reformation, it was unlikely that they suddenly should find the presence of civil courts unseemly. Moreover, the vacating of the western part of St. Giles was a necessary step before the King's future scheme of a cathedral church could take effect, and his grants to the Town, in recompense for the great expense to which they had been put in its building, imply more than a superficial interest in the plan.

In September 1632, for the first time since the year of his accession, the King intervened in the elections of the Council. While on the former occasion he had required that members chosen should be obedient in ecclesiastical and civil matters this time his desire was merely that none should be elected deacons of crafts but such as were "handie labourers" employed actively in

their trade. The contents of his letter are summarised without comment and it is impossible to do more than speculate as to the cause of his interference. This may have been to ensure that the craftsman turned merchant should no longer represent the craft of which he had ceased to be a working member. In November 1634 the Town Council passed a statute embodying the required restriction.

In January of the following year, intimation was received that the King's visit was about to become a reality. The Council, fortifying themselves with the presence of the inhabitants "of best qualitie," took steps for the reception of their sovereign "in the maist magnificient maner that can be devysit." It is undeniable that they aspired to impress King Charles and his train. The chief result of the display was a load of debt. The parade of welcome was not without ulterior motives. In April 1633, hearing that the Earl of Errol was on his way to Court, the Council feared that he was about to press his judicial claims to their prejudice and despatched a letter to Mr John Hay, inviting him to approach the King again on the matter and remind him of his promise to remit the rival claims to Parliament. Their anxiety misled them as to the Earl's errand, concerned with the formalities attendant on the coronation. Their underlying motives are even more clearly shown by the mission to Court of the Town Clerk in May. Mr Alexander Guthrie's ostensible errand was to acquaint the King with the preparations for his reception and to obtain his approval. But the document containing his instructions is taken up chiefly with a list of requests, each of which involved a considerable increase in the Town's privileges, showing that the Council hoped that the magnificence of their welcome would be repaid in tangible manner.<sup>1</sup>

Towards the end of the same month a further communication was sent to Court, doubtless inspired by the same motives. It desired authority from the King to impose a contribution of ten thousand merks on all inhabitants of the Town, with the exception of the lords of Council and Session, for the support of the ministers. The wording of the act of Council would appear to imply that this scheme, the germ of the Annuity Tax, had been mooted for the first time by the Town Council, but there is a suggestion in Hay's correspondence that it had been a debated subject at court some five years earlier,<sup>2</sup> when the Town's illwishers insinuated that Hay's employers were working at some scheme detrimental to the College of Justice. But Charles, even at a moment when favorable impressions might have been cultivated by granting without discussion what his father doubtless would have given, seems to have paid no attention even to a second visit from the Town Clerk, a few weeks before his own arrival in Edinburgh, to beg the "perfyting" of their demands, and the matter did not come before the Privy Council for nearly another year.

It is evident that the idea of regular taxation for the maintenance of the Crown and State was of slow growth. The Town Council were hard to convince

<sup>1</sup> Appendix xii.

<sup>2</sup> Appendix i.



that their willingness to pay their allotted share of the general taxation did not merit gratitude in some tangible form. In pursuance of this conviction, only a few days before Charles' arrival, the Provost and two others, of whom William Diek was one, approached the King to obtain a composition of the new tax on annualrents and, with that, a definite assurance as to the permanent settlement of the Privy Council, Exchequer and Court of Session in the Town, together with the expediting of the new charter.

Over the actual details of the King's visit the records pass in silence, though he arrived in Edinburgh on 15th June, spent the night before his coronation in the Castle, was present at the Parliament, which opened on 20th June, attended service in St. Giles on 23rd June and was banquetted by the Town Council that same afternoon, remaining at Holyroodhouse till about the end of the month. They note the difficulty in obtaining gold coins for the "propine" presented to the King at his entry, the borrowing of money towards the cost of the entertainment, and the formalities of recording the names of his suite who were made freemen, so numerous that the cost of writing their "tickets" was four hundred merks. The name of George Jameson, the Scottish portrait painter is mentioned as being employed on some part of the decoration of the Town.

Only five days after the rejoicings there opened what was to be the first stage in the downfall of the King, the beginning of the troubles which were to alienate the inhabitants of Edinburgh as also most of the rest of Scotland from Charles. It was Sir John Hay who brought the letter in which the King announced the erection of a bishopric of Edinburgh, and the alterations desired by him to fit St. Giles for a Cathedral Church. Such an innovation was unlikely to be viewed with favour in so much as it involved the dispossession of two congregations and the reintegration of the western part of St. Giles in the Church. And, although the Town Council, in the act for the building of the Parliament House, had regretted the abandonment of a part of St. Giles to secular uses, it was quite another matter to be taken at their word, when that involved the construction of two new churches. The Town Council, however, answered meekly enough, "relyeing whollie upon his Ma. providence and princelie cair" to assist them. They agreed to demolish the wall between the Little or East Kirk and the great Kirk "with convenient diligence," but represented the necessity for the western wall. Admittedly it was much to ask of the Town. The heaviness of its financial burdens is shown by an Act of 27th January 1634 sanctioning the levy of a hundred thousand pounds, of which forty thousand was for the payment of debts contracted for the King's reception, the rest for the commuted tax on annualrents. This last seems an enormous sum, but it must be remembered that the Council offered it and that it is at least presumable that an assessed tax would have been larger.

Some six months later came another letter from the King. It was apparently in answer to an unrecorded request that he should grant a patent to the Town's companies, later the trainbands. These had been established

in February 1626 for the training of the inhabitants in military matters. The letter implies that the King either was unaware of the existing organisation, or was doubtful whether it were sufficiently established to warrant the granting of a patent. The magistrates were instructed to send evidence "that your intentionnes ar reall," upon receipt of which the King would grant the desired privilege. Four days after this answer, came other letters from the King, reverting to the question of the churches. He allowed delay as to the western wall for a few months, but the walls separating the aisles from the body of the church, the song school in the churchyard and the shops built against the outside were to be removed. He required them to meet with commissioners appointed by himself to discuss the ministers' stipends—an obvious preliminary to sanctioning the tax they had desired for that purpose. He also ordered that the professors and students of the College should attend service in the Cathedral Church. The Council postponed consideration of the letter to the next Council day and then, apparently, for another two months.

In September 1634 Charles intervened again in the election of the Town Council. It was only the third time since his accession. The instructions were precise: the Council should place certain persons on the leets for provost, bailies, dean of gild and treasurer and should elect them. Compliance with his requirements would not be allowed to prejudice their liberties. The Town Council co-opted some of the old magistrates and Council to advise them, but the proceedings are not recorded. A few days later, having obeyed the King and elected the required individuals, they resolved to petition the King on the matter. Forgetting that such interference had been a frequent occurrence in the reign of James VI., particularly prior to the union of the Crowns, they took the King's demand as an aspersion on themselves and protested in language, stronger than their predecessors had dared to use, that they had not deserved such treatment. They even ordered that the new magistrates should concur with them in the petition. Wiser counsels, however, prevailed and, instead of complaining directly to the King, it was resolved to make application to their friends at Court for assurance that in future their elections would be untrammelled. Yet, even in the formula adopted the statement recurs that they were "not conscious of any offence doone by theme," significant of the later attitude not only of Edinburgh, but of Scotland, as giving loyalty to the King, but on their own conditions. From Charles on 12th November they received thanks for their obedience, assurances that his action had been dictated "upon a verie special consideration in regard of what is past and what we intend heirefter" and a reminder of the many precedents which he had followed. Further he promised his protection and the increase of their existing liberties, but gave no engagement that he would not intervene again.

In December the King returned to the subject of alterations in St. Giles, ordering his seat to be removed from the Great Kirk. Unfortunately the text of the letter was not inserted in the records, and the rest of his intentions are uncertain. In the beginning of the following year, another royal letter

invited the Council to choose commissioners to discuss the question of the stipends, His Majesty apparently being resolved that, if the Council were to be allowed to collect the tax, the ministers alone were to benefit by it. The Council as at other times would doubtless have preferred to divert a balance of the extent to the relief of the Common Good. Although the proceedings of the commission is not recorded, the King's letter in June, thanking the Council for arriving at a settlement, shows that a conclusion, satisfactory to him at least, had been reached. The project of building new churches languished, and a stimulus from without had to be applied, in the form of a threat to enforce the acts of Parliament concerning the export of bullion. The enforcement of these acts would have been of serious consequence to the Town, and their only stipulation was that the pardon for breaches of the statutes might cover occasions when "necessitie of fanyne or uther necessar traid" compelled the export of money—a phrase affording cover for a repetition of the offence. While the threat was fresh in the minds of the inhabitants, the Town Council took steps to start a voluntary contribution and to assure the King that the work would be carried out, if he would secure the Town from prosecution then or in future. The eagerness of the inhabitants to contribute was not marked, but the Town Council's zeal did not wane and they contrived in October 1635 to induce certain of the "honest neighbours" joined with them in Council to express their appreciation of the necessity for two new churches and the repair of St. Giles, "the beautye whereof is no littill defaced" and to agree that such inhabitants as had neglected to contribute freely, should be extented. The effort met with due reward, for, about a month later it was reported that a pardon had been granted.

The docility of the Town Council was rewarded further in July 1636 by the King's settlement of his debt to George Heriot, and of other debts due by the Crown to the city. It is alluded to briefly as the "bargain of Broughton,"<sup>1</sup> with no comment to convey that the Town Council had achieved two old ambitions, the superiority of the Canongate, that adjacent and rival burgh and, what perhaps they had desired even more, the complete possession of Leith, both North and South.

The initiation of the agreement was balanced only a few days later by Charles' letter recommending the adoption of a "constant Council and distinction of trade." The former proposal, as designed to do away with annual elections, was unlikely to commend itself. The latter, described a few days later as the "settling of companies in trade," is at first somewhat obscure, but is elucidated by an act of January 1637. The King apparently desired the organization of the merchants into a body, probably along the lines of the great London companies. Supervening troubles and possibly the growing hostility to the King's intervention in the affairs of the Town caused the project to be shelved, but it was taken up again, though nearly fifty years later, when the Merchant Company came into being.

<sup>1</sup> Appendix xviii. gives the contract.

In August 1636 appears the first mention of another of the King's grants to the Town, in recognition, as the preamble states, of their great undertakings in his service. This was the gift of a merk leviable on each tun or pack of goods brought from abroad by Edinburgh merchants. The actual letters of gift bear that the grant was during his Majesty's pleasure, though the signature bore that the grant was to be in perpetuity.<sup>1</sup> In September the Council recorded the ratification by the King and Parliament of the tax for the stipends and their intention that the balance of the Kirk rents, not absorbed in the payment of the landward ministers, should be allocated among the Town ministers. Thus they ensured that the common good should be free of a charge which had been a burden since the Reformation. By the end of the year the Town's new charter was an accomplished fact, though, to obtain it, the Council had been obliged to grant assurances that their monopoly of merchandise should not interfere with the rights of neighbouring landowners and that their jurisdiction should not prejudice the rights of the Lord Chamberlain or of the High Admiral.

From January till August 1637 no communications between the King and the Town are mentioned. So far as the records are concerned, it would appear that the life of Edinburgh was normally peaceful, for work on the new churches and the restoration of St. Giles went on unchecked and an amicable agreement was reached with the College of Justice as to their contribution towards the stipends of the city ministers. The appearance is wholly misleading. In reality the Town was seething with feeling over the Service Book and as unquiet as it ever had been or was to be.

It is possible that the Town Council underestimated the trouble in their midst, but more probable that they preferred, in view of popular feeling and of their position with regard to the King, to express no views, yet it is curious that there is no record of the emergency meeting held by them after that fatal Sunday, which is reported by others. For, while the Council met on 21st July 1637 and again on 28th July, there is no entry between these dates to tell of the tumults in St. Giles and the City on Sunday, 23rd July, caused by the attempted introduction of the Service Book, that breaking of a storm of discontent which was to plunge the country into war, after peace enjoyed for more than sixty years, and rouse a bitterness of religious conflict unallayed for centuries. A meeting, recorded by Gordon, followed upon the appearance of the magistrates before the Privy Council to express their abhorrence of the disturbance. So much they might do heartily, remembering, as many of them must have done, the trouble that came upon Edinburgh after a lesser disturbance of the same nature in 1597. This time, instead of controlling affairs and yielding diplomatically to the King's mercy, public opinion was to control them and to force them ultimately to a course of action the full effects of which they could not have dreamed. No message came from the King, till a fortnight after the death of the Provost, David Aikinheid, when Sir John Hay produced the King's letter deferring the election of a

<sup>1</sup> Appendix xvii.



Provost till his pleasure should be known. It was not a long delay, for Aikinheid had died on 14th August, his end probably accelerated by the shock of the tumult and anxiety over the state of the Town. But, in the interval, the Town Council, doubtless impelled by popular opinion, had waited upon the Duke of Lennox at Holyroodhouse with other deputations presenting remonstrances against any enforcement of the Service Book. Before the report of their action could have reached Court, Sir John Hay presented another letter from King Charles, commanding the election of the bearer as Provost. It was an appointment which, given other circumstances, should have appealed to the Town for the reasons which Charles advanced. The Town Council was indebted to Sir John for years of effective service at Court. He had carried through difficult and delicate negotiations to their profit and had saved them from urging demands which were unreasonable. But memories are short and there were two things against him : he was no merchant and he was identified with the King's policy in Church affairs. In the existing state of feeling, the last was more than enough to secure his unpopularity. Sir John appears to have perceived the trend of feeling and, finding himself incapable of influencing the Council, absented himself more and more frequently from their meetings. Although nominally appointed before the annual elections, he took no part in the petition to the Privy Council which represented their attempts to fall in with the King's commands and urged that their failure should not be imputed to them for lack of zeal. He was present when commissioners were appointed on 18th October 1637 to join with those of the Burghs to petition Charles to sanction the abandonment of the Service Book, the restoration of the Common Prayers and the restitution of two ministers who had been dismissed. It was on the same day that with the Council he directed that letters should be sent to friends at Court to obtain the recall of the proclamation removing the Privy Council and the Court of Session from Edinburgh, that much dreaded threat which on previous occasions invariably had brought the Town Council to submission.

Now, however, the quarrel with the King was not merely local, and, on the very day of these petitions, there took place another riot in the Town, more serious than that of Sunday, 23rd July. The Town Council were powerless to restore order, even had they inclined to bring the ringleaders to book. An act of 27th November shows the straits to which they had been put, granting as it does warrandice in person and goods to their three members "by whose paynes and continuance in the meittings that hes since past this Citie hes been keiped in peace and quyetnes and in dew obedience to his Majestie." After that date there seems to have been a short lull in the gathering storm, so far as the Town Council was concerned. They even chronicle on 5th January 1638 the appointment of one of their ministers as Bishop of Argyle. Of the inception and signing of the National Covenant there is no explicit word, but, on 24th March, the Provost being absent, the Town Council ratified the proceedings of their commissioners, who had joined with the nobility, barons, gentry and other burghs in petitioning against the innovations introduced

into the Church as contrary to the laws of the Kingdom. That petition was the Covenant.

There is no indication at first how public opinion was hardening against the King and how the earlier riots were developing into organised resistance, revolutionary in character. The Privy Council might sit in Linlithgow or Stirling, but the real government of Scotland was in the hands of the "Tables," self-appointed to carry on the enforcement of the Covenant and negotiations with the King, in so far as that word may be used for a course of action which required all the concessions to be on his Majesty's part. On 2nd June a hint of the impending resort to arms appears in an act of Council nominating captains and ensigns of the Town's companies. By 13th June the Council had identified themselves completely with the popular party and had elected three of their number to be upon the provisional government for receiving answers to the terms propounded to the King and the Privy Council. The ideas of neither side gave promise of an amicable settlement, but, while the King was faced with almost insuperable difficulties in the raising of men and money, Scotland was busy with the preparation of an army. In this Edinburgh took its share: the Council ordered inspection of the Town armoury, the purchase of gunpowder and match and the cleaning of their store of muskets and pikes, undeterred by the arrival of the King's Commissioner, the Marquis of Hamilton, though, to show that there was no ill-feeling, they created his servants freemen of the Burgh.

The action with respect to arming was typical of the spirit of the capital, as of the whole nation. That spirit in its least pleasing aspect was exemplified also by the Town Council's dismissal of two regents in the College for refusing the Covenant. On 13th October the Council appointed its representatives to the Assembly at Glasgow. These three persons reported to Edinburgh the proceedings of the Assembly, principally as regarded the ministers of the Town, though they did not fail to note the King's tardy consent to the removal of their grievances by the withdrawal of the Service Book and Book of Canons and the disallowing of the Five Articles of Perth. Of the storm which preceded the retirement from the Assembly of the King's Commissioner they reported merely that he had left the meeting.<sup>1</sup>

The Council were well aware of the inevitable consequences of the Assembly's action, and preparations for war went on. A Committee was appointed to discuss the training of the inhabitants in arms, "for serving his Majestie in his princelie commands," a phrase characteristic of the attitude adopted by the leaders of the movement, who, in words at least, laid the blame of the whole trouble on the King's evil advisers. Arms and training, however, are only a part of the provision of an army, and in March 1639, when the prospect of invasion came near, money had to be found for its expenses. For that the Committee of Estates had resort to Edinburgh's richest merchant, William Dick, borrowing 200,000 merks. The representatives of the Town, with the other members of the Committee, signed the bond for its repayment.

<sup>1</sup> Appendix xv.

The honour of the first offensive lay with the supporters of the Covenant and the Edinburgh companies tasted the first sweets of military glory with the surrender of the Castle. It is true that the capture was something less than arduous, and the general muster of the companies in Grayfriars' Churchyard ordered by the Council on 15th March to take place on 26th March was too late for service, as between these dates the Castle had surrendered. But other authorities record that one company was summoned to assist in blowing up the gate. Between that date and the next definite move the Town records are scanty, even as regards ordinary civic affairs. On 3rd April they placed the arms in their possession at the disposal of Colonel Munro, one of the officers of the new Scottish army, who had served in Germany under Gustavus Adolphus.

The long delayed advance of Charles with his forces to the Border was accompanied by the appearance of the Marquis of Hamilton with a fleet before Leith, and on 3rd May the Council were called upon to treat with him. From his ship, the "Rainbow," the Marquis addressed a manifesto to the Council in which he stated his errand, to find a means of settlement, if it were possible, premising that the King was loath to use force. It was not a document likely to conciliate the Council, since it characterised the capital as most "refractorie and dissobedient to his just commands" and "the principall causers as haiffing cheiffie countenanced the beginners of these troubles." They discussed the letter with some of the nobility and gentry then present in the Town and returned an answer in which the hand of the latter may be discerned. In it they attributed all blame to unnamed enemies and disclaimed any disloyal intentions. They expressed resentment at "the hostile way" in which the Marquis had come, as tending to provoke rather than to pacify, and protested that they would do all that they might, saving their "dewtye to God Almichtie," to obey the King's just commands, asserting the necessity of their present defensive attitude and the loyalty they bore to the King.

It was an uncompromising document and the King's Commissioner was not the man to cope with the situation.<sup>1</sup> Warlike preparations went on apace. The treasurer was ordered to borrow 10,000 li. against emergencies, a special council of sixteen was appointed to meet twice daily, the dean of gild was instructed to convert four old copper brewing caldrons into field pieces and Colonel Ludovic Blair was appointed to command the Town's companies. There was ample justification for these steps: popular feeling was against negotiation; Hamilton with his ships lay in the Forth, and it could not be known that his vacillation would prevent any effective intervention; the King and his army were at Berwick-on-Tweed, while General Leslie, the little crooked soldier, trained in the German wars, faced the King's forces from Duns Law, and Montrose, with another army and a committee, was endeavouring to deal with non-Covenanters, principally the Gordons, in the north.

Open war was averted by the Pacification of Berwick on 18th June 1639, which gave promise, however slight, of some accommodation. It was true that

<sup>1</sup> See Petrie, pp. 108, 109, 110, King Charles' letters to the Marquis.



the King refused to ratify the proceedings of the Glasgow Assembly, but he sanctioned the calling of another in August, at which he proposed to be present. On 21st June the Council recorded his letter bidding them prepare a place for that meeting. They contented themselves with finishing the enlargement of the East Kirk and removing the King's seat from the Great Kirk to the newly-altered building. The Council celebrated the hope of peace characteristically by dismissing the officers of the Town's regiment who were not inhabitants of the Town, and on 14th October passed an act authorising repayment of the money borrowed during "the laitt troubles."

So far as they were concerned the lull lasted for four months. Premonition of further trouble came with the King's letter in February 1640, ordering the Council to render assistance to two English captains arriving in Leith with reinforcements and munitions for the Castle. Restored to the King after the Pacification, it was commanded by Sir Patrick Ruthven, lately created Lord Ettrick, a man of very different calibre from Haldane, who had surrendered practically without resistance. The Council acquiesced and ordered the companies to act as escort from Leith to the Castle. It is suggested elsewhere that Charles' command aroused considerable irritation and this, to judge by the tenour of a later letter, must have been displayed in the Council's answer, unfortunately not recorded. Their appreciation of the significance of the King's action is shown by an act of 4th March arranging for a paid watch of three hundred men "in thir perrillous tymes." They were justified in the epithet. The General Assembly, which had met in the past month of June had been satisfactory in so far as it had confirmed the decisions of the Glasgow Assembly as to the wiping out of Episcopacy in Scotland, but in the Convention of Estates difficulties had arisen, principally over the manner of supplying new Lords of the Articles in place of the bishops. The temporary arrangement was not pleasing to all, and two parties asserted themselves in the ranks of the Covenanters. The Earl of Montrose led those who supported the King's proposals. The Marquis of Argyle was the acknowledged head of the popular party, and, since it formed the majority, Parliament adjourned in an atmosphere of mistrust of the King, not allayed by his refusal to treat with the Estates as an independent body. On the other hand, the position was not improved by the advances made by the Covenanting leaders to France, with a proposal to renew the ancient alliance, in complete disregard of the relations of England with that country.

The admission of the new garrison to the Castle was followed by a second appeal to France, asking for the mediation of Louis XIII., apparently not with any confidence in his reply, for, while Charles was attempting to raise an army in England, Scotland and Edinburgh in particular were preparing for the opening of hostilities. An indication of strained relations was the Town Council's refusal to assist the Earl of Ettrick in repairing the defences of the Castle, a part of which had fallen down. This brought from the King two letters, dated 6th and 10th March respectively. The first, while acknowledging the magistrates' action in assisting in the reinforcement of the garrison, supplies



a clue to the unrecorded letter of refusal. They apparently had complained that the reinforcing troops had been officered by Englishmen, basing the objection doubtless upon an act of the recent meeting of the Estates requiring that the principal castles of the Kingdom should be manned only by Scots. Charles might have answered that Lord Ettrick's command was sufficient to guarantee the safety of the Castle. Instead, he condescended to explain that, by a statute of James VI., all Scots since the Union of the Crowns were natives *ipso facto* of England and that the converse also was true. It might be so according to law, according to human nature it was far from being a reality.

The second letter, without allusion to the Town's refusal, invited the magistrates to supply the Governor of the Castle with materials necessary for the repairs. Whether from ignorance of the state of feeling or from policy, the letter was couched in conciliatory terms, carefully mentioning the valuable services rendered by the Council and Charles' gratitude. But fair words and promises could no longer sway the Council, and, barely a fortnight after the receipt of the King's letters, they had determined on raising another regiment to oppose the invasion which they believed or affected to believe was threatening. The regiment was to be maintained by the neighbours in the proportion allotted to them by the Council, a statement which seems to suggest that this new force differed from the town companies in not being composed exclusively of the inhabitants themselves. But in the absence of any data as to the manner of recruiting, this remains far from clear, though another act of Council, dated 17th April, shows that five hundred men were to be raised in Edinburgh and Leith. The Committee of Estates recommended that the sum of 50,000 li. should be levied for their maintenance, assigning a part of the taxation of Edinburgh and the Canongate for repayment, and promising to make good the balance out of the general taxation of the kingdom.

Between the King's two letters an incident, of which the Council Records give very insufficient details, had occurred. On 8th April another letter had been received from the King directing the Council to publish a declaration against the Earl of Argyle, of which they did not think fit to preserve the text. They took counsel with the nobles and gentry, probably the Committee of Estates then meeting in the Town, and despatched an answer which itself was not recorded. It is matter for grave regret that such is the case, for it is difficult not to connect the correspondence with a series of events which were to ripen a year later into the "Incident." It is possible that the declaration was inspired by the action of the Estates towards the close of the preceeding year, when they entrusted the defence of the Highlands to the Earl, fresh from his opposition to any concessions to the King, but it is equally, if not more probable that some breath of the plot which Montrose was later to expose to Charles and which procured his imprisonment in the Castle, had reached the ears of the King, if not through the agency of the Marquis, then through some other source.

On 18th April came a letter from the Governor of the Castle, but neither letter nor reply has been preserved. The purport may be conjectured in so much as the Castle was virtually in a state of siege with the outbreak of the

second Bishops' War, and Lord Ettrick was shortly to open fire upon the Town. It is probable that the Governor's letter was of the nature of an ultimatum and that he had expressed disapproval of the hostile preparations in the Town and had announced his intention of assuming a state of war if they did not cease. Even had they wished it, which assuredly they did not, the Council were too far committed to the Estates to draw back, and on 24th April they proceeded to devise coercive measures against such neighbours as did not display sufficient zeal in providing for the Town's new regiment. On 4th May they ordered that all inhabitants should assemble on Tuesday of each week in the Parliament House to be made acquainted with current affairs.

The plan for a paid watch, initiated in March, proved unsatisfactory, and on 29th May the Council reverted to the old scheme of making the inhabitants guard themselves, stigmatising in no measured terms the way in which this ancient duty of a burgess had been neglected "to thair gritt dainger, haysart and disgraice." But proximity to actual warfare in General Leslie's investment of the Castle and Ettrick's retaliation proved too much for the burgesses and, two days later, the Council recorded the desertion of the city by many freemen, with the threat that, should they not return to their duty, their privileges would be taken from them.

From the facts of war they then turned their attention for a time to a question of the rights of their own estate, as concerned in a rumoured change in the composition of the Convention of Estates, then sitting. The Town Council stated explicitly that the barons were desiring to be declared the third estate "and to have ilk ane of thair commissioners ane decessive voice in all parliaments." This claim tended, in the opinion of the Council, "to the overthrow of thair estaitt." Time was to show that it made little difference.<sup>1</sup>

On 29th July the blockade of the Castle was still continuing. Lord Ettrick, tolerably well supplied with forces and munitions, was able to hold out and the Estates judged necessary that a garrison of six hundred soldiers should be left in Edinburgh, since the Scots army was once more in camp at Duns. For the maintenance of the garrison the Committee ordered the Council to borrow 40,000 merks, with the proviso that two-thirds of the sum were to be found by the Town, presumably as the cost of protection, while one-third would be considered a charge on the public funds of the Kingdom. The Council obeyed without comment and on 19th August received the formal acknowledgment of the Committee of Estates.

Meanwhile Argyle was engaged in stamping out resistance in the Highlands and north-east of Scotland, a task the more congenial in that the foes of the Covenant were his personal enemies; Leslie, with the nucleus of the Covenanting army, was in camp at Duns, and the rival parties in the Convention of Estates were for the moment at one as to the expediency of an invasion of England to obtain redress of their grievances with the help of the English Parliament. Such defiance Charles could not ignore, and on 20th August he set out from London to put himself at the head of what forces had

<sup>1</sup> See note on p. 242 *infra* for reference to Rait's *Parliaments of Scotland*.

been assembled. The effect of that step was to unite the northern shires in at least a temporary loyalty to the King. It was too late. The King was only at York when, after an attempt at resistance, Newcastle was evacuated and fell into the hands of the Scots on 29th August.

On 15th September Edinburgh Castle surrendered, and between 15th and 26th October the commissioners of England and Scotland had reached an agreement in the treaty of Ripon, which provided for the occupation of the northern counties by the Scots army until such time as a treaty of peace should be concluded. The significance of this to Edinburgh is seen in an act of 6th November recording the agreement with Colonel Lindsay of Belstanes to act as Colonel in the Town while the army, with, presumably, the Town's regiment, was in the fields.

In view of that treaty and the negotiations with the English Parliament about indemnification for the expenses of the army, prolonged to the end of January in London, it is surprising to find the Town Council once more in communication with the King on private matters of their own and the question of the confirmation of the Burgh's charters. Had the entry been of a later date than 19th February, it might have appeared that knowledge of the growing resentment in England at Scottish interference in their affairs had induced the Town to hope that the King might be in a yielding mood. But news of the growing strain had not had time to penetrate to Scotland, and it is probable that the Town Council were acting merely upon the assumption, upon which the Estates had made war, that hostilities were not directed against the King but against his evil counsellors. It seems likely that Mr Alexander Henderson, then one of the ministers of the Town and at that time in London, was one of the commissioners appointed for the purpose. Yet it is possible that the Council, who had ways and means of discovering news in advance, had been acquainted with some rumour of the impending coolness between the two Parliaments. For in May the King was considering a journey to Scotland to seek for assistance from his northern kingdom, not without hope of it. The slowness in payment of the promised subsidy to the Scottish army had raised discontent, some of the Scottish noblemen had had their fill of campaigning, not being prepared to hazard themselves further for the sake of establishing Presbyterianism in England, and the Scottish demands for conformity in religion and freedom of trade were more than likely to rouse violent opposition, the first from a party, the second from the whole of England.

It was on 2nd June 1641 that the Council recorded the impending visit of Charles to hold a Parliament on 15th July, and his Majesty's request that they should make provision for its reception. They took the usual step of appointing a committee to supervise the preparations and, on 4th June, ordered that a banquet should be made for him. The Council busied themselves with immediate preparations, in which they were supported by the neighbours with a warmth from which it would have been impossible to guess that they had lately been in arms against Charles, and which lends colour to his hope of finding in Scotland the help he desired against the increas-



ingly refractory Parliament and people of England. In no previous reception of Kings had such warmth been expressed as on this occasion, when, on 21st June, they "all in ane voice did heartilie congratulat his Maties resolution and for moir ample testimonie of thair affectioun they humble desyre that his Matie may be intreated to honour this his ancient Toun with his presence to ane feast." If the capital expressed itself thus, it is not surprising that Charles persisted in his scheme of a visit to Scotland, or that opinion in England viewed with considerable apprehension such a journey.

In the beginning of the second week of August Charles set out on his journey to the north, one of his last acts having been to pass the Bill confirming the treaty with the Scots and securing to them the promise of payment for the army so soon as it should have crossed the Tweed. On 14th August the King arrived in Edinburgh. By 25th November he was once more in London. But of the events of these months, which resulted in utter failure of all the King's hopes and the establishment of Argyle, now Marquis, as virtual ruler of Scotland, even of that perplexing interlude, the "Incident," the Council Records have nothing to say. They note the making of burgesses and gild brethren on the occasion of the banquet in the new Parliament House and the dismissal of the Town's colonel, an indication of the settlement believed possible. They also seized the occasion of the King's presence to appeal against the privileges of the Constable, choosing, it seems unwisely, that time when these were most justifiable. Possibly they hoped to profit from his Majesty's mood, for concessions were in the air.

Two gifts they did obtain at this time from the King, though the Records do not note them till later, which mark the extent of his defeat in Scotland and the concessions he was willing to make. The first of these, dated from Holyroodhouse on 30th September 1641, granted to them for the use of the College the revenue of the short-lived Bishopric of Edinburgh.<sup>1</sup> The second on 10th November, shortly before his departure, granted for support of their ministers the revenues of the Bishopric of Orkney and of the Deanery of Edinburgh, with the patronage of St. Cuthbert's Church.<sup>2</sup> Their merchants, too, profited by the lavish distribution of honours in which the Marquis of Argyle and General Leslie, Earl of Leven, headed the list, for several of them were knighted. Yet the honours, great and small, ensured no friendship to the bestower. Another matter, due in all probability to the King's desire to conciliate his Scottish subjects, was the renewal of discussions as to freedom of trade with England. But, though a committee was appointed on 10th December, of which the recently knighted Sir William Dick was a member, the scheme once more was doomed to failure. The English, even had they not been too engrossed in affairs of greater consequence, were unlikely to favour it, particularly if it were revived under the auspices of the King. It was left to the autocratic rule of the Lord Protector to insist upon such a measure.

<sup>1</sup> Appendix xix.

<sup>2</sup> Appendix xx.

## THE BURGH'S RELATIONS WITH CROWN OFFICIALS AND COURTS.

Among their other concerns the Town Council engaged in two quarrels with officials of the Crown, the High Admiral and the High Constable. It was not a new situation, but it is remarkable that these quarrels, previously pursued at long intervals, should follow so closely in the short period of eighteen years.

The cause of the recrudescence of these disputes was the careless generosity of James VI. in the Town's Charter of 1603. He granted it without examination of what it involved in the way of powers donated to the magistrates of Edinburgh, and it was inevitable that they should find themselves involved in trouble with others whose privileges were touched and who had no object in being complacent. The root of the trouble is shown in one of the earliest complaints by the town of Leith against Edinburgh, in which, however, allowance must be made for overstatement, natural under the circumstances. It was in no spirit of altruism that they exposed the exaggerated claims of Edinburgh: it was merely that their audience, the Privy Council, was more likely to be moved by the recital of slights to the prerogatives of their own estate than the petty wrongs of a little seaport. Still, with this reservation, the complaint is interesting—"Article 4: They have purchased surreptitiously namely within this 27 years the offices of Sheriffshippe, coronershippe, generall justitiary, justitiary of peace, the totall privileges of the Admiralty and in effect are Admirals in Edinborough, Leeth, Lawthian and Water of the Forth, and are in possession of the whole conforme and are supreme judges in all causes civill and criminall over all persons of whatsoever quality, noble or ignoble without excepcion, with power to them to fyne, imprison, put to death and banish, which none can doe but your Majesty, and is one principall parte of your Majesties prerogative; and this their offices and privileges extends over the best places and chief province of that Kingdome, to the great prejudice of all the royall officers, chiefly the Constable and all judicatories."

The Council, by the mouth of Mr John Hay, answered this article as follows: "Thair is grantit to that guid toun be your Majesties praedecessouris the offices of crounership and sherefschip within the bounds designit in the severall grants and als of justiciarie of peace, quhilk ar not supreme bot subordinat offices, bot of the offices of Admiraltie, Constabularie or Justice General I know none nor do I think thair is ony." The Toun's commissioner was a cautious man and his opinion should have carried weight, but it was not that of his employers. for the Town Council spent much time and much ingenuity in claiming the powers which their own servant did not acknowledge.

Apart from the claim of the Town Council to such extended jurisdiction, there is another point of interest which arises more markedly in the matter of the Constable, although it also appears in the closing episodes of the quarrel with the Admiral. This was the attitude of the King towards the contending parties. Unlike his father of happy memory, whose chief aim was peace,

Charles had theories of government, but in the ill fortune which attended him the advantages of some of his ideas are apt to be overlooked. What bore upon the matters at issue between the Constable and Admiral and the Town Council was Charles' intention to abolish the heritable jurisdictions in Scotland, the powers of which had resulted, among other instances, in making the Earls of Argyle virtually sovereign in the west of Scotland. In such a scheme he was not without precedents, for the hereditary principle with regard to offices of state had already been abandoned in France and England. With this in view, it is not surprising that the King dealt leniently, indeed almost favourably, with Edinburgh. When he desired to abolish all heritable jurisdictions, it was of no consequence that Edinburgh should dispute the powers of two holders of such office: it may even have appeared serviceable, as affording proof that the offices were not indispensable.

This attitude of the King is indicated in the case between the Admiral and the Town, when his special warrant reversed the judgment of the Privy Council by freeing the town official condemned by them. It is seen in the case with the Constable, when Charles intervened to reserve to himself the final pronouncement on the respective rights of the contestants, and ultimately sanctioned the appeal of the Town Council that the case should be brought before the Court of Session, whom they claimed as the proper judges of heritable rights.

The Town Council were possibly sincere in their statement that the Court of Session were the correct judges in their case, but it may be noted that judgments of that Court tended to uphold the Town's claims, while those of the Privy Council tended to favour their opponents. In 1630 the Court of Session pronounced in favour of Edinburgh in a case regarding the storing of food in Leith; the Privy Council reversed the decree, as placing the supplies of the Kingdom at the mercy of the merchants of Edinburgh. This reason was an overstatement and the aim of the Privy Council was partly to prevent inconvenience to the nobility and gentry, who were outwith the jurisdiction of the burgh as regarded trade and were likely to resent restrictions in Leith. But, at a time when justice was far from being impartial, it is at least probable that the Town Council hoped for more favour from the Court of Session than they could expect from the Privy Council, because of the closer association of the former body with them.

Friction between the High Admiral and the burghs was not a new thing. In 1592 the Parliament had limited the jurisdiction of the admiralty to its status before the death of James V., led to that step by the exactions of Francis Stewart, Earl of Bothwell, then Admiral. In 1594 the Town Council and the Admiral had been in conflict. A lengthy complaint by Ludovic Stewart, Duke of Lennox, recounted a case in which a skipper in Leith had summoned seven merchants before the Dean of Gild for payment of freight. The Admiral had tried to have the accused repledged to his own court and had been forced to appeal for support to the Privy Council. This case had left the question of jurisdiction unsettled, and in 1603 the Duke had written to the Town Council



from Windsor, complaining that they had taken advantage of his absence at court to usurp his office. He had requested them "to tak a mair moderat cours and suffer things remaine in the estait thai have been past all memorie." His death in England and the minority of his son prevented a settlement. According to Mr John Hay<sup>1</sup> in 1628, he was having "fair dealing" with the Admiral, then John, Earl of Linlithgow, tutor to the young Duke of Lennox. This was probably over the question of providing a boat for the occasion of the King's visit, to serve as a ferry over the Forth. The Town Council applied to the Privy Council for their instructions in the matter, stating that they had built a bark for James VI., and were willing to do the like for his successor, but had heard that another plan had been proposed. The Admiral, having been asked what his intentions were, declared that the duty belonged to him and that he would do "that whilk to the deutie and credite of his place and charge apperteaned for his Majesteis honnour and contentment." Whereupon the Town Council accepted the relief without demur.

To be relieved of an expensive duty was well enough, but a year later the Town Council and the Admiral were confronted again before the Privy Council.<sup>2</sup> The Admiral had endeavoured to berth a damaged royal ship at a place chosen by himself in the harbour of Leith. The water bailie of Leith, Archibald Tod, later a Lord Provost, had refused to allow the ship to be moored there and had ordered a merchant ship to take its place. The Town Council approved the action of their water bailie and appeared in his behalf before the Privy Council. According to the Admiral, Tod had answered his request to allow the King's ship to come in by stating "that no shippe sould come there bot suche as come by his tolerance and that nane had power of the shoare and harbourie bot thameselffes." To this the Admiral had responded "that if his Ma<sup>teis</sup> admirall had not power to lay to the shoare ane of his Ma<sup>teis</sup> shippes where ever the sea ebbes and flowes his powar wes verie small." The Town Council's spokesman, Mr John Hay, devoted his attention to the general question of the Town's privileges, to a plea that the Earl of Linlithgow's patent was invalid, and to an attempt to have the case transferred to the Court of Session. The impression given is that the Town Council were aware that their water bailie had exceeded his powers and that they were endeavouring to shift the issue from the facts to one of privilege. The Privy Council repelled the defence and ordered Archibald Tod to be imprisoned in the Castle of Edinburgh during their pleasure. The sentence of imprisonment appears not to have been carried out, and ten months later the King's letter to the Privy Council, delivered by Provost Aikinheid, forbade any further proceedings against the water bailie. From September 1630 till December 1636 there is no further mention of the relations of the Admiral and the Town. On the latter date the Town Council, in view of the signature of their new charter, made a declaration that nothing in it should be held to prejudice James, Duke of Lennox, in the rights of his office as High Admiral.

The quarrel between the High Constable and the Town Council was more

<sup>1</sup> Appendix i. 8.

<sup>2</sup> Appendix vii.

protracted and more serious. It seems to have arisen because the latter found themselves aggrieved by the loss of their privilege of acting as deputies to the Constable in Edinburgh. That privilege had been theirs for more than a hundred years : it was natural enough that they should take it for granted. What they overlooked was that it had been held at the pleasure of the succeeding Earls of Errol, the last confirmation having been in 1594. For long they had not been troubled in their tenure of the office, but that probably was due to the fact that the Earl of Errol of the preceding reign had been a Roman Catholic and not *persona grata* at Court. The King intervened early in the quarrel, since his approaching coronation in Scotland made necessary the elucidation of the High Constable's rights.

Shortly after the receipt of the King's first letters occurred a case which gave point to the proceedings. Unfortunately the Council records do not note it. On 27th June a certain Mr John Keith assaulted and wounded a servant of Sir James Nicolson of Cockburnspath in the latter's room in the Town. He was summoned before a Constable Court, held by the Earl's depute, no longer a magistrate of the Town. The King was then at Holyroodhouse and the Constable's authority might well have gone unchallenged, but the magistrates deliberately advanced their right to try the culprit. The Constable appealed to the Privy Council, who found with certain reservations that the magistrates had acted wrongly. The Town Council seem to have determined to carry the whole matter to the Court of Session, and it was at that juncture that Charles forbade that court to interfere. Still the Town Council refused to abandon their claim, and in February 1634 Keith was driven to appeal to the Privy Council for protection against the Provost and Bailies, who were threatening to imprison him if he would not compare before them for trial. The magistrates, summoned to answer for their action, pled that their charter of the sheriffship, granted by James III., warranted their action, protested that they did not recognise the competence of the Privy Council as judges and desired that the case might be remitted to the Court of Session. Their defence was overridden and they were declared to have done wrong in troubling Keith. They raised an action of suspension before the Council on 4th March, and a little later produced their evidents and protested that, as the question was one of civil rights, it should be remitted to the Session. The much-harassed Privy Council postponed trial and wrote to the King for instructions, for the situation was difficult : the Town Council declined to accept their authority in the matter ; the Constable insisted on it as his right, and the King's own letter to the Court of Session had stated that he would deal with it himself. On 8th July the Privy Council, having heard both parties at considerable length and having received authority from the King to do so, remitted the case to the Court of Session. Thereafter the whole matter dropped, possibly because of the King's command that sentence by either Court was to be deferred until he had been informed of it.

Seven years later the quarrel was as far as ever from being settled. The King was again in Edinburgh, when one Mr Thomas Lamb, minister at Kirk-



urde, was arrested for murder committed by him on the road to Leith. The magistrates imprisoned him in the Tolbooth and the Earl of Errol promptly charged them to deliver him for trial. Thereupon both parties petitioned Parliament. The Provost and Bailies, while admitting that the crime, committed in the barony of Restalrig, was outwith their jurisdiction, alleged that they could not obey the Constable without prejudice to the lawsuit pending between them and him, but that they would obey the commands of Parliament, whatever they were. The Constable restated his rights, as embodied in the Privy Council's report of 1631. The Parliament, having considered both petitions, ordered the Provost and Bailies to deliver the accused to the Constable or his deputes, without prejudice to the rights and privileges of either party. But the times were too serious and other problems too acute to allow of further discussion of what was a personal quarrel, and it was not till after the Restoration that the dispute was recommenced. Even then the Town Council were no more fortunate in their attempt to get rid of the High Constable's jurisdiction, for his Court continued to sit till the Union of Parliaments.

## EDINBURGH AND THE ROYAL BURGHS.

In its recognized position as the most important of the royal burghs the Town again had the role of spokesman during this period. Until April 1631 the entries in the records are more or less a commentary on the proceedings of the Convention, important chiefly in the way that they show the subjects on which the burghs and Edinburgh in particular laid the greatest stress. From that date to the end of the volume the entries take on a greater interest as supplying the blank in the records of the Convention. The last meeting of the Convention of Royal Burghs recorded in their own documents was in March 1631. The Council acts supply what is lacking in respect of meetings without the details which otherwise would have been afforded, though on several occasions they quote certain of the acts of General Conventions which were of prime importance. There were in 1631 three more particular conventions, in April, June and November, as well as the General Convention of which the place of meeting is not stated. In 1632 there were five particular conventions, in February, April, September, October and November, with a General Convention held at Montrose. The arrangements in 1633 are rather confused. There were particular conventions in March, April and December. Missives were issued for a General Convention at St. Andrews in July, but a later act records a summons to another General Convention in Edinburgh to take place before the Parliament at which the King was to be present. It is unlikely that all the burghs were to be summoned twice, and it is indicated that there might be an alteration in the place of meeting, which makes it probable that the second summons superseded the first. This is practically assured by the fact that the General Convention of 1634 was held at St. Andrews. During that year there were two or possibly three particular conventions. In 1635 three particular conventions are recorded, but no General one, which need not be

taken as showing that it did not take place. The same is true of 1636, when the particular conventions met in July, August and April. In 1637, that year of turmoil in Edinburgh, only a General Convention at Aberdeen is recorded, while in the following year one particular convention is recorded and the General Convention at Stirling. In 1639 the General Convention met at Dunfermline and there were particular conventions in February and July. In 1640 there was a particular convention in January and a General Convention in Edinburgh, prior to the meeting of Parliament, and in 1641 a particular convention also in January and a General Convention at Linlithgow. In a summary of acts passed at that meeting is mentioned a General Convention at Irvine, where the National Covenant was ratified. To what year that should be assigned is difficult to say unless it was a special meeting, for the tale of General Conventions from 1637 is complete.

The Office of the Burghs' agent at Court, established after the Union of the Crowns was still in existence in 1626 and held by Mr Patrick Hamilton. It was found soon that the work done by him could be better accomplished by the envoys of the Town, who were frequently at Court on their own affairs, and the office was abolished.

There were many matters of importance before the Convention, for the most part not new. There was business concerning the staple port of Campvere, such as the appointment and journey of a new minister to the church there in 1626 and trouble with the factors at that town, summoned in 1637 to attend the Convention, who did not put in an appearance till more than six months later. Previous to that in 1630 there had been instructions to the Conservator to "deal with" the magistrates of Campvere for better accommodation for the nation. In 1626 also the burghs were called upon to give their answer on the question of arming themselves in view of the imminence of war. In 1628, by the persuasion of Edinburgh they were brought to assent to the submission anent the teinds. In 1633 the principal burghs were summoned to represent their estate at the King's coronation "in maist decent maner," while in 1638 and in 1642 reference is made to the Burghs' adherence to the National Covenant. The record takes no note as to whether it was unanimous, but the probability is that Aberdeen, at least, was a dissentient.

The question of patents and monopolies was as ever a vexed one. In 1627 Mr John Hay was made the bearer of a petition to the King, which was in reality an attack on Lord Erskine's patent for a new method of tanning with the consequent restriction on the import of hides, and also related to the new customs on imported victual. There were other patents to which frequent reference was made. The patent of Admiralty to the Earl of Lennox concerned Edinburgh more than the other burghs and doubtless owed its discussion by them to the pressure of the Town, as in the case of the Constable. But the Earl of Linlithgow's patent for the production of gunpowder was of wider scope. It was discussed in July 1628 and two months later Hay was charged to treat about it at Court. In 1632 was raised the question of the patent granted to Robert Buchan of the pearl fishery in the waters of Tay, and it became one

of the matters for which a particular convention was summoned in September of that year. Another, discussed in the following year, was the gift to Sir William Seton of the Postmastership, while in February 1634 the patent to Lord Spynie as muster master general was equally resented. So high was the feeling as to these monopolies that in 1632 the General Convention at Montrose ordered an addition to the burgess oath by which each new burgess should engage to take no monopolies, an act in which the Convention at St. Andrews concurred.

In some matters it is certain that the Burghs had a grievance. One of these was their trade with France, definitely hampered by the King's far from friendly relations with that country. For, if the Scottish burghs lost that trade there were no compensating advantages, while England refused free trading across the Border. The subject is mentioned in September 1629, when a petition to the King concerned, among other things, the privileges of the nation in France. In 1633 the commissioners to the Convention which was to meet before Parliament, were charged to come instructed as to the question of the great customs in France, and again in 1634 a committee was appointed to arrange instructions as to the nation's liberties there. That something was accomplished for them is evident by an act of November of the same year thanking Sir John Seton for his help in procuring the removal of the impost on merchants trading in France.

For the most part allusions to questions that interested the burghs are incomplete and, though the Privy Council proceedings give the official point of view, they do not, as a rule, furnish anything to compensate for the loss of the Convention records. One of these questions was the prohibition of the import of salt from England and abroad. The matter was raised by the Burghs in June 1631, when the statement was made that coal and coarse salt were among the principal exports and that the import of foreign salt was a necessity. The reason for the proceeding is found in the Privy Council records. It was the son of an Edinburgh burgess who was at the bottom of it, the same Mr Nathaniel Uddart who had fallen foul of the Burghs already in the matters of the Conservatorship and his monopoly of the manufacture of soap. He and Mr James Galloway, Master of Requests, inventors of a new "mysterie and invention" for the manufacture of salt, had obtained a patent for their scheme from the King with a monopoly of thirty-one years. Improvement in the manufacture of salt was much needed, since it was the coarseness of the home-made article which necessitated the import of foreign salt. But, even apart from their disapproval of monopolies, the Burghs disliked Mr Nathaniel, possibly because he had never troubled to become a freeman of his native city, and they joined with the heritors of the coal heuchs and salt pans in petitioning the King for the discharge of the prohibition, an act in which the Privy Council, some of whom at least were probably among the heritors, supported them. Action seems to have been delayed for a time, but the proposal was revived in 1635 and the coalmasters proposed to send a deputation to the King. There, so far as the Town records are concerned, the matter is dropped.



The same thing occurred over the King's proposals for the reform of the coinage and the provision of a new small currency for Scotland. The proposals had been put before the Burghs by the Privy Council and had been discussed in their last recorded meeting in March 1631, where suggestions had been made, chiefly for delay in any action. A Convention was called later in the year, but was so sparsely attended that on 12th October the Town Council announced their intention of calling another Convention to deal with the business. There is no record of their doing so till nearly a year later in September 1632, when the reform of the coinage was the first item on the agenda. No conclusion can have been reached then, for, in January 1633, another particular Convention was summoned to hear the King's proposals. There, once more, the matter is dropped.

Another unfinished story relates to what the Town Council termed the justice, the Privy Council the circuit courts.<sup>1</sup> Their revival formed part of a scheme for the reform of the delay in administering criminal justice, which failed to meet with the approval of the Burghs, doubtless for the same reason that Edinburgh opposed it, interference with their private jurisdictions. Mr John Hay was charged to protest at Court on behalf of the Burghs and to desire exemption for them from the scope of the courts in 1628 and again in the following year. They met with success, at least temporarily, for in 1630 the Privy Council postponed for a year the holding of circuit courts, a proof that the Crown was inclined to conciliate the Burghs at least in some matters.

Another matter to which the Burghs were invited to give attention was the patent granting to the Laird of Bams the right to levy dues for a light to be maintained on the Isle of May. For that purpose two Conventions were called, one in December 1635 and the other in June 1636. The proceedings of the Privy Council show a surprising divergence of opinion even as to the need for a light at all, which might have been thought to be obvious to all merchants and skippers of both shores of the Firth. It is possible that their opinions were coloured by the fact that dues would be necessary for its upkeep.

The great controversy of the period was one which had begun in the reign of James VI., the question of the fishing on the north-west of Scotland. The burghs themselves had joined with some gentlemen adventurers who proposed to colonise the outer isles. The scheme had failed, or rather had barely been attempted, and the problem still remained of how to put the fishery to best profit and to keep out foreigners. The Earl of Seaforth had advanced a proposal to colonise Stornoway with Dutch fishermen, and was about to obtain a royal charter erecting that town into a royal burgh. There was much to be said especially for the latter part of the proposal, for there were no royal burghs nearer than Inverness on the east and Dumbarton on the west. To the Burghs the whole plan was iniquitous and to be opposed with all the influence they could bring forward. So constant and so vehement was their opposition that at last they had their way. After repeated com-

<sup>1</sup> For the policy of Charles I. in this matter see "The Office of the Justice Clerk" in *Juridical Review*, December 1935.

missions to Court, the Town Council in February 1630 took the somewhat unusual step of convening the neighbours to join with them in recording the prejudice that would be sustained by the plantation of Stornoway with Dutchmen. The meeting went so far as to state their willingness to undertake the plantation themselves and to pay for the recall of the signature. In June it was reported that there was hope of an agreement and of the Burghs undertaking the work, and the missive from Edinburgh for the approaching General Convention invited all burghs to come instructed in the matter. That assembly remitted consideration of the situation to a particular convention, in view of the cancellation of the Earl of Seaforth's patent by the King. Before their meeting, however, the Town Council and neighbours had met again and arranged that steps should be taken to ascertain what money could be raised for the work.

Though the King had acceded to the protest of the Burghs, there was another scheme he favoured. In 1630 a commission had been appointed to enquire into the fishing round the coasts of Britain with the view of forming a company to undertake it, and the Burghs were forced to give consideration to this. Negotiations in the matter were protracted and not too amicable. On 1st April 1631 the Council were called upon by the Privy Council for advice as to the amount of fishing to be reserved for the natives, and the firths, lochs, islands and distance from the land to be so allocated. They in their turn summoned a particular convention for 18th April to discuss the matter. Unfortunately the records of that convention have not been preserved, but it appears that some conclusion was reached, for the commissioners to the General Convention of that year were charged to come prepared to answer as to "the number of busches this cuntrey may affoord for the fisching," since there was a probability that an agreement might be made between England and Scotland. The company for the fishing was established by charter as "The Society of the Fishery of Great Britain and Ireland" in June 1632,<sup>1</sup> but by April of that year the Town Council was concerned already that the Burghs should be prepared to take their share in the fishing, "being advertisit . . . that thair is gritt appearance of outtred of busches in England for the fisching this yeir." The Parliament of 1633 confirmed the establishment of the society, but more was needed than the approval of King or Parliament to remove the ancient rivalry, and in April of that year the Town Council again warned the Burghs that the English were making great preparations and that they must take steps "least they be previned in the choyse of the best and most commodious plaices of the Kingdome . . ." From that date the matter drops out of the records, probably because the whole industry slipped back into the old ways and the Burghs had secured at least their main object, the prevention of the erection of Stornoway into a royal burgh.

One other thing falls to be noted here, the recorded legislation of the Conventions. This is very scanty, but serves to show that the attitude of the Royal Burghs towards their privileges remained unaltered. In June 1634 the

<sup>1</sup> Pagan, *The Convention of Royal Burghs*, p. 227.

Town Council recorded two acts of recent Conventions which were to be enforced, the act forbidding concurrence of any burgh or inhabitant thereof in monopolies, and the act forbidding partnership with unfree skippers.

### EDINBURGH AND LEITH.

Though the relations of the Good Town with its port do not bulk very large in the history of the period, there is enough to show that the Council was intent on carrying out its old policy of subordinating Leith to its own jurisdiction in all points. Previously a start had been made by endeavouring to compel the crafts of Leith to come under their control, beginning with the maltmen, tapsters of ale and wine and the coopers, a policy which had been obeyed only reluctantly. That opposition was not dead and that the Council were determined to enforce their will is evident in this period. In August 1626 eleven maltmen were summoned for exercising their craft without the permission of the Council, and were forbidden to do so until they should have asked and obtained authorisation. On 4th April 1628 the former act as to brewers and tapsters of ale and wine was renewed under heavy penalties, including money fines and confiscation of their stock.

On 11th June 1634 the Town Council directed their attention to the tailors in Leith. After a long preamble setting forth the injury to the lieges by their unskilled workmanship the order was that none should carry on work but those approved by one whom the Council should appoint. They proceeded to appoint the deacon of the Edinburgh tailors as inspector of the Leith craftsmen, with power to choose others to supervise the work, and, in a third act of the same day, laid down that no one might work as a tailor in Leith unless he gave bond to behave "soberly" and to refer all disputes to the Town Council.

Circumstances, however, were in favour of the Town Council, for the contract between the King, the Earl of Roxburgh and the Town gave to them the long-coveted and complete control of both North and South Leith. Armed with that power, they found themselves in a position to enforce their policy. So, two years after the contract, on 12th September 1638, the weavers of Leith felt the effects of the increase in authority when the deacon and masters of the Edinburgh weavers were appointed inspectors of their work.

The inhabitants of the town of Leith were far from yielding quietly to the claims of the capital. Their attitude is illustrated by an incident in October 1626. A skipper of the port was brought before the magistrates, accused of "undecent and unreverent" speeches to one of the bailies and to the officers of Leith. These last he had characterised as seditious knaves. Before the Town Council he admitted that epithet and also that he had drawn an unflattering historical parallel between the bailie and a namesake of his, favourite of James III., hanged at Lauder Bridge, and, wholly unrepentant, had asserted, as he was being led away, that the sailors of Leith were persecuted as the Israelites had been by Pharaoh. The Council ordered him to be kept in irons



till they should have decided on his punishment, and there is no further mention of him till four months later, when he expressed his penitence.

A further development of policy with regard to Leith is found in the case between that town and Edinburgh, brought before the Court of Session. That court of justice had given sentence in favour of the Good Town, and, on 25th March 1629, the inhabitants of the port appealed to the Privy Council, in the hope that that body would reverse the decision of the Court of Session.<sup>1</sup> The appeal was made in name of the whole inhabitants by a hundred and thirty-two persons of all ranks. It states the principal grievances, the prohibition of marketing of wool and hides in the town, the decrees against maltmen and tapsters and a decree forbidding the storing of victual in Leith. The Town Council took up the challenge and in October 1629 commissioned Mr John Hay to lay "the matter between the Good Toun and certain of the inhabitants of Leith" before the King. On 27th January 1630 they appointed a committee to discuss the affairs of Leith, among other matters. But the activity of the Council did not impress the Privy Council, who justified the hope of the appellants and granted a suspension, not, as it appears, so much on the ground of injustice done to the inhabitants as because the decree against girmelling was prejudicial to the interests of the nobles and barons.<sup>2</sup> The Town Council wrote forthwith to Hay to represent to the King the injury they would suffer if "such courses should have their way," to beg that the act might be deleted and that the Privy Council should be ordered "in tyme cuming to abstain from meddling with any of the Town of Edinburgh thair liberties or richtes or staying of any executioun upone any decreittes givin be the lordes of Session." On 17th December they reverted again to the matter having, however, shifted their ground a little in that they limited their demands "in so far as the same concernis girmelling of victuall."

It must be taken as a testimony to Charles' desire to deal fairly that he annulled the suspension granted by the Privy Council, granted, as appears by their own words, for fear of prejudice to themselves and their own estate. His letter was before the Privy Council on 7th December and they, having postponed their answer to it, and the invitation to settle the differences between Leith and Edinburgh, recommended the inhabitants of the port "to goe the morne to the toun Counsell of Edinburgh and to intreate for thair courtesie and favour in the executioun of such decreitis as the toun hes recoverit agains thame and whiche the inhabitantis of Leethe in course of justice can nott gett declynit," a course unlikely to find favour with the said inhabitants. It was possibly in view of the King's command to the Privy Council to settle the dispute that the Town Council found expedient on 16th March 1631 to request Hay to "purches ane farder warrant for recalling the decreitt of Counsall suspending thair decreittes. . . ." The attitude, too, of the Privy Council with regard to the privileges of the nobles and barons appears to have affected the Town Council with a fear that opposition from that quarter might imperil their victory, for in June of that year they thought

<sup>1</sup> Appendix x.

<sup>2</sup> Appendix xiv.

fit to elucidate the position. After quoting the charters which supported the rights claimed by them, they explained that their prohibition of storing victual in Leith held good only against the inhabitants: it was not directed against nobles, gentry or others, who might send victual to the town to be sold or stored, and to them the people of Leith were free to let storehouses. With that the dispute died down for the time.

It is in connection with a wholly different matter that more light is thrown on the aspirations of the Town Council for the complete control of Leith. That was the fortification of the port, rendered advisable in the King's opinion because of his relations with the continent. The first mention of Leith in connection with impending war was the inquiry which the Privy Council had been charged to institute, as to the number of ships available there for the King's service. That question came up on 14th July 1626 and appears never to have been answered. The Council records do not note the actual command by Charles to proceed to the fortification. Indeed it might appear that the idea was their own, if other documents did not prove the contrary. On 19th October 1627 a committee was appointed to consult on military affairs, especially the raising of a fort for preserving the harbour and roads of Leith, the making of ditches and other works to prevent an enemy from landing. Possibly the Town Council may have regretted that the former fortifications of Leith, dating from the minority of Queen Mary and the French occupation of the town, had been destroyed with such completeness. On the other hand, it had not been so much the desire to remove traces of the foreign allies as fear of the recognition of the port as an independent burgh which had moved them. The same reason was to retard the Council's fulfilment of the King's desires. This is made plain on 13th November 1627 when the Council, having co-opted twenty-two neighbours, approved the idea of the fortifications, in view of the danger of foreign invasion. It may be stated that danger threatened to some extent, for Scottish shipping suffered greatly from privateers and, while any serious attempt at landing was improbable, there were grounds to fear attack which might have inflicted damage on the port. But the meeting went on to propose that the plan should be discussed with such as the King should appoint for the purpose, with reference to the questions of defraying the cost of building and maintenance and, especially of their rights as superiors. To that last was appended a suggestion that all lands in Leith might be brought under the control of the good town, reasonable enough in many ways, but an attempt to turn to their own benefit the existing emergency. By 20th November the document embodying the conditions upon which they would undertake the work was ready, though it was not inserted in the records, possibly because it was tentative.<sup>1</sup> But several drafts show the main tenour to have been the attempt to obtain extensive powers for building, as well as the suggestion that the King should buy up and make over to them all superiorities not in their possession. In addition to these the Town Council had asked for a reduction in the customs of two per cent., the complete command of the fortified town when

<sup>1</sup> Appendix viii.



the work should be completed, the maintenance of their jurisdiction in civil and criminal cases and the prohibition of dealing in merchandise and of free crafts there, the granting of all their claims which had been in dispute, together with larger powers. On 8th January 1628 the articles as to the fortification were approved and submitted to the Privy Council and on the 30th an order for shovels bought in Leith seems to convey that a start was contemplated. The project went no further, for a letter of 28th May from Mr John Hay at Court conveyed that the King was ill pleased that no progress was being made. He wrote : " His Matie entered anent the forfeiting of Leith quherin he thoct we had scorned him in deid."<sup>1</sup> Hay begged Charles not to think so and explained the Council's position in a way which makes it appear at least plausible : " the trew caus quhy the same come not in fuller hering was the opposition maid anent the government, since Leyth was ours for the most part and was so incorporat and annexed to our brugh as if any man sould be prefferred above his Ma<sup>ties</sup> officers thair of necessitie Edinburgh most neids depend on him." It was true and the future was to show how disadvantageous the military occupation of Leith during the time of Cromwell could be to Edinburgh. The King saw Hay's point and, with the willingness to see reason which has been seen before in his treatment of civic affairs, promised to think the matter over,

Other problems, however, were to absorb the King's attention and the subject was dropped, though in April 1633 the Town Council reverted to the question of their jurisdiction in Leith<sup>2</sup> and, shortly before Charles' visit to Edinburgh, included among other requests one that the sheriffship and coronership of Leith might be disjoined from that of Edinburgh principal and be attached to that of the burgh. There is no record of any answer which the King returned to this demand, but in 1636, by the contract already mentioned, the Town Council obtained their desires without the trouble of building fortifications.

The question of defences at Leith was brought up again when hostilities were impending between the King and Scotland at the time of the first Bishops' War. This time the work was taken in hand by the Convention of Estates, and its Committee commissioned two of the Edinburgh bailies to supervise the fortification of the town. The enthusiasm of the time brought volunteers to the work among whom it is said that " none were busier in bearing the rubbish than ladies of honour." Of these one was the mother of the Marquis of Hamilton, the King's Commissioner. While the work on land defences went on, the Town Council, on 29th March 1639 ordered a boom to be placed across the harbour.<sup>3</sup> The boom was made and in its place when the fleet with the

<sup>1</sup> Appendix i.

<sup>2</sup> Appendix xii.

<sup>3</sup> Manuscript Accounts, dated 1639, in the possession of the Leith Dock Commissioners, give information as to the fortification of Leith and the construction of the boom. The work was carried out by command of " the Committee of the Nobillitie Gentie and Burgesses of the Kingdome of Scotland " by warrant of the Estates and was financed by the Commissary General. Begun on 6th March 1639, the last date recorded for payment of workmen is 22nd June 1639. A large staff of overseers, clerks and workmen was employed and the total expenditure came to 18,636 li. 9 s. From these accounts it is proved that the boom was constructed at a cost of 724 li. 11 s. 2 d. Payments are recorded also for opening and shutting it. The accounts neither prove nor disprove the statement that volunteers of all classes worked on the fortifications. They also include, not only the stone, timber and earth works, but the procuring and setting up of cannon and show that the work was supervised by the Town's commanders, Colonels Blair and Lindsay.

Commissioner aboard the *Rainbow*, arrived opposite the port at the beginning of May 1639. But the records make no further allusion to any part played by Leith in the early stages of the war.

### THE TOWN'S COLLEGE.

In spite of the troubles of the period, King James College continued to develop. Not yet fifty years old at the beginning of these extracts, it already had a definite place in the life of the burgh and in the interest of the Town Council and others. The Council, in spite of their many cares, found time to record its progress.

In 1627 is recorded the publication by the Principal of a catechism for the use of the students, a reminder that in the 17th century these were much younger than now. Adamson dedicated his book to the Town Council, who returned the compliment with a gift of 400 merks. In the following year the rules of the College were registered in the books of Council.<sup>1</sup> They dealt with the life of the students in complete detail, giving the curriculum for each year of the course, the order of examinations, the work of the regents, even the hours for recreation and the programme for Sundays. Then followed rules for the behaviour of students, including all the things they might not do, such as wearing swords or whingers, playing tennis, cards or dice, having long hair. Finally came the Council's regulations as to the inspection of the College, its general administration and their recommendations as to the revived office of rector. In 1629 is the first suggestion of formalities attendant on the appointment of the staff, when the Council and ministers were summoned to attend at the College for the admission of the new professor of divinity. But, while it was simple to make rules, these had to be enforced, and in January 1633 the Town Council intervened in a matter of discipline, apparently beyond the control of the professors, the turbulence of the magistrands in the interval between the end of their course and the final examinations. In 1635 new rules were added to the already formidable list, stressing the importance of the punctual beginning of the term and forbidding the attendance of students at burials, save of specified persons. At the close of the following year a committee was appointed to enquire into a report on the "inormities" of the students.

Although it is not expressly stated, the College was affected by the upheaval of 1638, and from other sources it appears that two regents were dismissed for refusing to sign the National Covenant. The Council records merely note that the Town Council dispensed with their services because of the "hard opinion" entertained of them, which was liable to prejudice the attendance at the College.

In 1640 the Town Council, as a consequence of the reports at the visitation of the College, laid down instructions for the duties of the Rector. It was neces-

<sup>1</sup> Appendix vi. See also Professor Hannay's article on the rules in *Univ. of Edinburgh Journal*, vii. 213.

sary, since that office in the past had been neither clearly defined nor regularly filled. It was in the same year that they also took steps to separate the College revenues from the Common Good and to appoint a College treasurer. The committee to whom the work was entrusted produced a statement of income and expenses which is interesting as giving all the salaries payable and the money available from Kirk rents and legacies.

By the new division of parishes in 1641 the inclusion of the College in the southwest parish led to a change in the place of worship, formerly Trinity College Church, where a loft had been built for the reception of the students. These were ordered to attend the Greyfriars Church, while the College Hall was lent to the congregation of the south parish till the new church at the Tron should be finished.

During the sixteen years which this volume covers there were frequent changes in the staff of the College, due partly to the troubled state of feeling at the time and partly to the readiness of the regents to take ministerial charges which usually were better paid. One change, the dismissal in 1626 of Mr James Reid, regent of philosophy since 1603, was the result of a dispute with one of the Town's ministers. It was in 1627 that the professorship of divinity, previously held by the Principal, became independent. For some time previously pious donors had given sums large and small to enable that disjunction to be made. The total interest had not yet reached a sufficient sum but the Town Council, aware of the importance of the subject, determined to pay the balance of the salary of 1,000 li. and to provide a house. Forthwith they nominated to the professorship Mr Henry Charteris, sometime principal, then minister at North Leith. He died two years later and was succeeded by Mr James Fairlie, whose election with one dissentient voice is recorded. The reversion of the professorship was promised, rather more than a year later to Mr John Sharp, lately professor of divinity at Sedan, because of his learning and "sufficiencie." There is an interesting undercurrent to these two appointments. It has been suggested that Fairlie was appointed merely to prevent the election of the other candidate, the somewhat notorious Mr Robert Monteith "de Salmonet," who was suspected of Arminianism, while the Town Council would have preferred Sharp for the post. Owing to his record of opposition to the late King's Church reforms, they dared not proceed to Sharp's election till they found whether it would be acceptable. Whatever the reason for their procedure, Fairlie resigned in 1630, and was appointed one of the Town's ministers, and Sharp took his place. The creation of the professorship of divinity seems to have stimulated generosity. Several legacies were made for its support, till, at the time of the separation of the College revenue from the Town's, the salary was stated to be 800 li. with house rent of 133 li. 6s. 8d. A sum of 6,000 merks had also been left by an Edinburgh merchant to build him a house, but the money was judged insufficient and it was not till 1641 that the College treasurer was ordered to buy Sir James Skene's house and yard for that purpose, after the Town Council had added 1,000 merks.

It was not only the chair of divinity for which gifts were made. In 1626



William Rig, merchant, offered to build two chambers for students. In 1636 another gift was allocated towards repair of a property outside the College, bought by the Council because it was both unsightly and disreputable. A year before, James Douglas, sometime Secretary Depute, left his mathematical books and instruments to the College. In 1637 Sir Henry Wardlaw of Pittravie left 500 merks to buy books. There were also several legacies for the support of bursars, among which the largest were 1,200 merks by David McColl in 1639, £1,000 sterling left by Mr Robert Johnston, one of Heriot's executors, with a further sum for gowns and books in 1640. The King in 1641 made over to the use of the College the rents of the short-lived Bishopric of Edinburgh.<sup>1</sup>

Perhaps the most interesting development was in the library. Two legacies of books have already been noted, but it may have been the one by William Drummond of Hawthornden in 1626 which roused the Council to appreciate the need for care in that department of the College. For, at the same time as the gift, they ordered that an inventory should be made and that the Principal, then responsible for the library, should engage a servant to clean the books. They also allowed a certain sum for the heating of the room. In 1633 the fines of scholars were allocated to the purchase of new books. Two years later an additional catalogue was made and the Council also appointed the first librarian at a salary of 400 merks. This man, Mr Kenneth Logie, departed in 1641 to become minister of Skirling, and Mr Andrew Monro, son of an Edinburgh burgess, was appointed in his place. In the same year Mr Alexander Henderson, in London on the affairs of the nation, was entrusted with the purchase of books, on which he spent the considerable sum of £49, 9s. 6d. sterling.

## THE TOWN'S MINISTERS.

The ever-present difficulty in Edinburgh was to find sufficient and worthy ministers for the Town charges. The burgh, to a great extent the leader of public opinion in religious matters, required men who would conform to the existing state of Church politics, since the Town Council, whatever their opinions as individuals, as a body were on the surface reconciled to the prevailing moderate form of episcopacy. Their experience in 1597 had taught them the danger to the Good Town of opposing the King, and this cautious attitude was not such as to facilitate the obtaining of the pastors they required.

Hence the records are punctuated with calls to ministers from all over Scotland, of which few were successful. On 21st June 1626 there were only five Town ministers and two were called from Cambuslang and Campsie, who did not accept. Nearly two months later one of the existing ministers, Mr William Forbes, applied for permission to seek a less strenuous charge than in the Town, a request the Council felt itself compelled to grant, and it was not till 2nd January 1627 that there is notice of a new appointment, that of

<sup>1</sup> Appendix xix.



Mr Henry Rollock from Kilconquhar. From that date till 13th August 1630 the burgh had to make shift with what pastors it had, while the Town Council were engaged in discussions as to the stipends. On that day an act records the offer to Mr John Sharp, lately professor in Sedan, of either a charge or the professorship of divinity. Subsequently he accepted the latter. The state of the Town ministry is indicated further by an act of 3rd January 1634 authorising payment of 400 merks to Mr Archibald Skeldye for his preaching in the vacancies. On 3rd February of that year died Mr William Struthers, who had been a minister since 1614, and Mr Thomas Sydserf, already holding one of the lesser charges, was promoted to his place. The appointment was not for long, since on 30th July Sydserf, who had held the new post of Dean of Edinburgh, was elected Bishop of Brechin. Temporary preachers were employed for some months, till on 30th March 1635 Mr James Hannay or Hanna, minister at Holyroodhouse, was invited to fill Sydserf's place, and accepted, also becoming Dean, in which capacity he suffered attack during the disturbances over the Service Book. On 29th April and on 6th May 1635 Mr David Fletcher and Mr William Colein or Colvin from Cramond were called to become Town ministers. Of these the former accepted and the latter refused, as he was to do on two subsequent occasions, probably because he was not in sympathy with the episcopal form of government then prevalent. On 18th December Dr. Eliot, or Elliot, from Glasgow, was appointed.

Before the next change in the ministry there occurred the tumult in St. Giles on 23rd July 1637, and it should be noted that, though feeling was strong against the innovations, it did not affect immediately the promotion of an Edinburgh minister to a bishopric, for on 28th July Mr James Fairlie resigned upon becoming elect of Argyle. As a consequence of their opposition to the Service Book two of the ministers, Mr Andrew Ramsay and Mr Henry Rollock were silenced. On 18th October the Town Council petitioned for their reinstatement. On 5th January 1638 occurred the second call to Mr William Colvin, who was several months considering the matter. He refused once more on or about 4th May, when the Town Council decided to call Mr Alexander Henderson, minister at Leuchars. It was not without difficulty that he was obtained. The matter of the call was brought before the Glasgow Assembly on 17th December,<sup>1</sup> when St. Andrews put in a plea to be allowed to call him, but the Assembly sustained the desire of Edinburgh, and on 2nd January 1639 he became one of the Town's ministers.

It was by the action of the Assembly that the Good Town was deprived of five of its ministers, those adhering to the party of Episcopacy. They had joined with the King's Commissioner and the bishops in a protest at the beginning of the Assembly, and on 12th December 1638 Mr James Hannay, Mr Alexander Thomson and Mr David Fletcher were deposed. Mr David Mitchell was tried for heretical opinions tending to Arminianism and a supposed proclivity to the Church of Rome and was deprived. The case of Dr. Eliot was remitted to the Provincial Synod for judgment on 7th January 1639, while

<sup>1</sup> Appendix xv.

for the time he was suspended from preaching, and then he too ceased to be a minister of Edinburgh.<sup>1</sup>

With the ranks of the ministry thus purged of undesirables, the Town Council turned their attention towards filling the vacancies, and on 14th January Colvin and Mr William Bennet were called. The former appears to have accepted at last, but Bennet had to be called again on 4th December 1640, with the added authorisation of the Assembly, before he accepted. Meanwhile the Town Council announced on 27th February 1639 that Mr Samuel Rutherford had been appointed to a Town church. The intimation was premature, for Rutherford was called to St. Andrews to occupy the chair of theology and the principalship of St. Mary's. On 12th October 1641 Mr George Gillespie, minister at Wemyss, was called, but, though he is included in a list of the ministers of the six Town parishes on 24th December, it was not till after a second call, sanctioned by the General Assembly, that he accepted. That list gives eight ministers. Mr Robert Douglas, whose church was the west part of St. Giles; Mr Henry Rollock and Mr Alexander Henderson, East St. Giles; Mr William Bennet, Trinity College Church; Mr William Colvin, the Mid Kirk (formerly the great Kirk) till the church at the Tron should be finished; Mr Andrew Ramsay conducted worship either in the Parliament House or the College Hall, till he could get access to the Mid Kirk; Mr George Gillespie in Greyfriars.

The question of the supply of ministers was complicated throughout by the problem of their stipends. The income from the church lands granted for the support of the ministry appears never to have been adequate and the administration of the revenues by the Town Council not wholly skilful. But in justice to them it should be noted that the Kirk rents had never been the whole source of income of the Roman Catholic Church and that, with the Reformation, the dues which the priests had exacted from their parishioners tended to disappear. Prior to the reign of Charles I. the stipends had been paid by the Town Council, who supplemented the Kirk rents from the Common Good, and by an agreement, concluded at the desire of James VI., which took effect only after his death, the Town ministers were granted a stipend of 1,200 merks a year and a house, or the equivalent rent.<sup>2</sup> This concession, which had raised the stipends very considerably, was not enough to satisfy Charles, with his set intention of making proper provision for the ministry, the general policy elaborated in his Act of Revocation, and he proceeded to put pressure on the Town Council to fulfil his wishes. The pressure converted a problem into a grievance. So long as it was left to the discretion of the Town Council how many ministers they should have, they managed well enough; but they had already objected when the late King had tried to make them increase that number. They also had agreed to the increased stipend noted above, and were in use to pay a gratuity, professedly to meet particular conditions of hardship due to bad harvests, dearth, or other exceptional happenings, but virtually a yearly subsidy. So, when Charles in his letter

<sup>1</sup> Appendix xv.

<sup>2</sup> *Extracts 1603-25 p. 277.*

of 6th October 1626 invited them to revise the agreement recorded on 28th September 1625, they answered curtly that it was impossible. It was an answer which the King was unlikely to accept, but for a time the matter was referred to only in Mr John Hay's letters from the Court, in which the affair appears complicated with the negotiations in which the Town Council was involved over the submission of teinds. Hay wrote on 8th December that he had been accused as "actor" of a business likely to breed disturbance between the College of Justice and the Town. This vague accusation is the first hint of the plan for a tax on house rents for the support of the ministry, later known as the "Annuity." Hay had stated in answer that "we were only mere patients as it was not in our power to augment the stipends of so many of our pastors upon our owne private, so if the whole parishioners would contribute we would gladly for our part show our willingnes to have them maintained with that proportion was requisite."<sup>1</sup> Again on 22nd May 1628 he reverted to the matter in connection with the question of the teinds. Rumours were prevalent at Court that the Town Council had authorised him to do what the King demanded and that the Council was willing to sell their teinds and resign their superiorities—"if the King would support the College ministers and hospitall he should have all."<sup>1</sup> He wrote again a week later on the same matter, but the exact meaning that he wished to convey is difficult. His words were "But as for his Majesties letter it is all he craves that we sould come in *pari passu* with the ministers stipends in the payment of the annuytie. . . . The commissioun it selfe did urge no more then that we sould pay the annuytie in the same proportion as the ministers did out of thair stipends." Whatever the exact question at that time, it was to lapse for several years, while the High Commission was occupied over the matter of the teinds. Only on 20th July 1632 it is recorded that the Town Council paid in gratuity to the ministers the highest sum ever given, 400 merks each.

On 22nd April 1633 the Town's commissioner was sent to the King about the tax for the stipends, named as 10,000 merks, but Charles' visit to Scotland seems to have delayed the matter. On 26th July the usual gratuity of 300 merks was paid, with the explanation that it was for the extraordinary expenses of the King's visit, keeping up the fiction that the payment was at the sole pleasure of the Council. About a year later, on 27th August 1634, the King seems to have raised the question of stipends again, before authorising the tax, and the Council petitioned him to delay the settlement, promising to answer before the end of the year. It was not till 2nd January 1635, however, that they appointed a committee to consider the matter, and five days later they had to appoint another committee to meet the King's Commissioners. The meeting bore fruit on 11th March, when the new scale of stipends was issued: 2,000 merks and 200 merks for house rent to the four principal ministers; 1,300 merks and the same house rent for the second ministers, and, in consideration of their long service, the former rate was allowed to two second ministers, Mr Alexander Thomson and Mr James Fairlie. For this

<sup>1</sup> Appendix i.



they received the King's thanks in a letter of 22nd May, received and recorded on 20th June.

It was, then, a matter of great urgency to find the money, and on 1st May 1635 the Town Council, having narrated their petition to the King for his consent, his remitting of the question to the Privy Council and their authorisation of the tax on 18th March 1634, took steps for the valuation of all house property in the Town.

The proceeding was not to be so simple or so all-embracing as they might have desired. On 22nd April 1636 they were forced to declare that the Lords of Council and Session were exempt from the tax, while there was an attempt made to include the lesser members of the College of Justice in that exemption which still further delayed the arrangements for the tax. While negotiations were going on, the Town Council, having settled the stipends of their landward ministers, enacted on 9th September 1636 that the balance of the Kirk rents was to be appropriated to the payment of the Town ministers. On 5th April 1637 the Town Council recorded the failure of their attempts to make the clerks, advocates and writers contribute, authorised the Provost and bailies to try to arrive at a settlement, and, on the following council day, were reduced to borrowing to pay the stipends, meantime overdue.

Curiously enough the Acts of Council do not give the agreement arrived at with the members of the College of Justice, recorded elsewhere on 16th August 1637, whereby the clerks, advocates and writers, "to testifie thair godlie dispositione to the furtherance of God's service," offered a yearly contribution of 11d. in the pound on their house rents, so long as the Session sat in Edinburgh. This settlement seems not to have hastened the collection of the annuity, nor the raising of the necessary sum, for on 27th December 1639 it was declared that the tax had been found insufficient. The Town Council thereupon betook themselves to another expedient: they ordered all the churches to be fitted with desks or pews, which were to be let for an annual payment. To these means of obtaining money was added another by the Charter of Charles I., granted at Holyroodhouse on 10th November 1641, by which he gave the revenues of the abolished Bishopric of Orkney to supplement the stipends.<sup>1</sup>

Of the newly-founded bishopric of Edinburgh the records say very little. It was not that the existing Town Council was ostensibly opposed to episcopacy at that time, as they were in tolerably frequent communication with the Archbishop of St. Andrews on the subject of ministers. Apart from references to the tiresome and costly necessity of altering St. Giles to convert it into a worthy cathedral, there are merely two or three notices of the two occupants of the See. It was on 30th October 1633 that the King's letter informed the Council of the erection of the bishopric and his wishes with regard to St. Giles, just one month after the date of the foundation charter. The Town Council expressed no opinion upon the King's act and, indeed, never once mentioned the Bishop, Mr William Forbes, till on 18th April 1634 they agreed that he

<sup>1</sup> Appendix xx.



should be buried in St. Giles as a testimonial to the high esteem in which he had been held. On 21st November of the same year they sent the bailies to his successor, Mr David Lindsay, with instructions "to leive nothing undone that may assure his Lo. freindschip to this Citie." The next notice of him is when the Town's delegates to the Glasgow Assembly wrote from thence that he was one of the eight bishops to be excommunicated and absolutely deposed from his bishopric and any exercising of the ministry. On 30th September 1641 Charles by his precept under the great seal transferred the revenues of the See to the support of the Town's College.

## DOMESTIC AFFAIRS.

There is, during this period, a notable absence of the former quarrels between merchants and craftsmen, and the Council elections appear to have been carried out without any resentment on the part of the crafts or undue assumption of powers by the merchants. Craftsmen, too, took their due place as commissioners to the Convention of Burghs and to Parliament, while the Town Council were careful to summon the extraordinary deacons to give their assent to all matters in which they were competent to assist. It is possible that the affairs of the Town, both public and domestic, were too important to allow of time being wasted on quarrels, though hitherto the weal of the Town and the Kingdom had proved no deterrent. Another thing is remarkable, the frequency with which the Town Council co-opted the assistance of the "honest neighbours" of the City in such matters as they judged of prime importance, and it should also be noted that once or twice they were assisted by the nobles and gentlemen in their deliberations.

### (1) *Town Finance.*

The whole question of the financial affairs of the Town is, unfortunately, too large and too complicated to be dealt with in detail. One point is worth remarking, that while the Common Good was stationary the general wealth of the inhabitants was increasing very greatly. It is true that there are no data as to the incomes of individuals but the very magnitude and number of the demands on the inhabitants show that there was no lack of money. This is proved not only by the sums raised as taxation but by the loans made for various purposes, from the acquisition of land to the financing of many schemes and the gifts for charitable purposes. It was well for the magistrates that this was so. The settlement of George Heriot's bequests involved them in heavy expenditure before they had received the whole of the legacy. The Royal policy imposed upon them heavy taxation for the war with France. The reception of Charles I. at the time of his coronation cost them an outlay of thousands of pounds, while the building of the new churches and of the Parliament House required yet more money. For all this there was no way of raising funds save by the taxation of the inhabitants, not openly for civic purposes, but in the form of an "eik" to the royal taxation. This proceeding

was unsatisfactory, and one question has never been answered explicitly—whether the inhabitants of Edinburgh were aware that a part of the taxes levied upon them was devoted to civic uses. Nor do these charges exhaust the demands on the Town finances. Apart from domestic expenditure, one of the largest drains upon the wealth of the inhabitants was caused by the wars, when the Committee of Estates demanded and obtained not only the raising and maintenance of the Town's regiments, but also money for the general conduct of the campaigns.

For all this the Town Council's chief resort was borrowing, and the state of their finances, difficult enough during the latter years of the last reign, became worse. In their straits they appealed to the King on one occasion and were granted the right to an impost, the merk per tun and per pack. Even the sums eventually raised by this impost did little to relieve them.

Without entering in complete detail on the accounts of the Town Treasurers, one or two points may be noted. In the years 1603 to 1625 the expenditure of that official only once exceeded 51,000 li. and that in the year 1619-20, when a part of the expenses of the King's visit was included. In the years from 1626 to 1636, before the beginning of the troubles which were to increase the Town's expenditure inordinately, only once was the discharge of the Treasurer so low as 52,000 li., and in the year 1635-6 it had reached the sum of 147,688 li. 12 s. 9 d. Given the known wealth of the Town, such annual expenditure might not have been excessive at a time when so many building schemes had been started and when the City had just entertained its King for the first time since his accession. What may be regarded as serious is that, during those eleven years, only twice did the Treasurer's accounts show money in hand at the close of the year, while the debit balances amounted to 10,208 li. in 1628-9; 16,563 li. in 1629-30, and 10,061 li. in 1632-3. In other words the Council were disbursing more than could be covered even by their special taxation.

Of the later years it is unnecessary to speak. The exigencies of war caused the Committee of Estates to make large demands which could not be met at once by taxation and the Town Council were reduced to borrowing and in some cases even to voluntary contributions. While it had been possible to plead with the King that they were impoverished by their efforts to accomplish his commands and, by that means, to delay their contribution, and sometimes to obtain a reduction, and while, willingly or not, he had made special grants to them, no such courses were to be expected from the Estates and there was no way out but speedy compliance.

## (2) *Acquisitions of Land.*

In justice to the Town Council it must be advanced that a part of their heavy expenditure was due to the policy pursued by them with regard to Heriot's legacy. They grasped early that the best way to utilise the legacy was to invest it in land, and, before they had realised all the debts to him,

they began to acquire estates in the neighbourhood of Edinburgh, borrowing to pay for them and borrowing again to repay the first loans, till such time as the legacy was forthcoming.

Fortune, too, played into the hands of the Town Council during this period, when they attained the long-coveted superiority of the whole of Leith and of the regality of Broughton. In this they were indebted indirectly to Heriot's legacy, for two of the principal debtors to the jeweller, the King and the Earl of Roxburgh, unable to repay the great sums which they owed, gave up to the Town what was even more valuable to them than money, the superiority of the regality of Broughton, which included the burgh of the Canongate, North Leith, Pleasance and parts of South Leith, hitherto pertaining to the Abbey of Holyrood. The concession was divided between the Governors of Heriot's Hospital, to whom fell Broughton, and the Town Council to whom were allotted the Canongate, North Leith, Pleasance and the parts of South Leith, previously Abbey territory. Although the records abstain from comment, the Town Council must have enjoyed a moment of exultation over the contract. The long-desired control of the whole of Leith was theirs. Their predecessors, too, had always regarded the Canongate jealously, since its existence outside their ports had been a continued menace to their trade. Indeed it was not a hundred years since the Town Council had made an ingenious claim that the wording of the original charter to the Abbey had been misinterpreted in so far as the erection of a burgh with its attendant privileges was concerned. They had been unsuccessful and now at last they had gained the superiority of what had proved to be a formidable rival.

### (3) *Building.*

The developments in the Burgh as regards building have become historic, and, unlike much that took place in previous reigns, the two great enterprises of the Town Council still remain to justify the expenditure upon them. Yet, though the Council was responsible for the work in both cases, it must be remembered that they did not initiate the two buildings, and that it is doubtful whether either would have been started without external pressure.

The history of the building of the Parliament House has been given in such ample detail already that it is unnecessary to dwell upon it.<sup>1</sup> It was a great undertaking, even for the capital, as the accounts of the Town witness, and more than one expedient was tried to raise the money. The voluntary contribution of burgesses towards the building seems to have proved ineffective chiefly from the difficulty of extorting the promised instalments of the contribution as they became due in succeeding years. The Council were obliged to resort to loans and it remains doubtful how much of these ever was repaid. Interest was paid on them, even when money had to be borrowed for the purpose, and new loans were raised to repay the principal when the lender demanded it, but it is probable that some, if not the greater part, of the money

<sup>1</sup> *Book of the Old Edinburgh Club*, vol. xiii., "The Building of the Parliament House," by R. K. Hannay and C. P. H. Watson.

expended on the building helped to swell the debt with which the Town continued to be burdened for the following centuries.

The King's plan for the alteration of St. Giles to fit it for the cathedral of his new bishopric involved, as has already been mentioned, the erection of two new churches. Only one of these ever was completed, and it is doubtful whether it ever is remembered that the King was responsible for the commencement of the Kirk at the Tron.

The accounts of the church at the Tron appear to begin only in 1640, though contributions for it had been received so early as 1635. It had been a matter of some difficulty to agree with the inhabitants whose lands had been chosen for the site, and it was doubtless that which delayed the beginning of the building. These first accounts rendered by David McCall show that approximately 14,000 li. had been collected for the purpose. Of this nearly 5,000 li. was spent on the purchase of the land and the legal formalities, and these first accounts close with a debit balance of 1,506 li. 12 s. Laurence Henryson took up the post of treasurer to the work in 1641 and rendered his account of receipts, in which certain sums are entered under the heading of "Voluntar Money," his charge extending to 17,193 li. 3 s. 8 d. and his discharge to 15,545 li. In 1642, apparently after the building had been begun, it seems to have been taken in hand by John Milne, the Town's master mason, who estimated in great detail for the stone work of the church, and with whom the Town Council contracted for its completion.<sup>1</sup>

The second church required by Charles was destined never to be completed, but a site was acquired for it on the Castlehill and a certain amount of work appears to have been done on it in the years 1637, 1638 and 1639. It was an unlucky building. Its treasurer, Thomas Moodie, records how in January 1640 "upon a great tempestuous and stormie day the wind blew doune a greate pairt of the haill daills timber and doore of the entrie to the Church, for repairing whair of it cost me for great and small naills and warkmanship 1 li. 12 s."

The defeat of the King's Church policy and the abolition of episcopacy left the Town Council free once more to use their church of St. Giles as they pleased. So, abandoning the work on their second church, they set themselves to rebuild the partition wall in St. Giles and to make the place suitable again for the reception of three congregations. It was a business, as the brief account of John Adinstone shows, much less costly than the erection of new churches and the fact that they undertook the work so easily shows how insincere were their protestations, made in 1633, on the unseemliness of the divisions in their great church. They evidently had repeated what would please the King, but, for themselves, they were content to revert to the old subdivisions.

#### (4) *The Town's Schools.*

While the records of the period relating to the College are more ample than ever before, the notices bestowed upon education generally are scanty. Refer-

<sup>1</sup> Appendix ix.



ences to the High School are four in number, apart from such as have been omitted as merely recording the dismissal of the scholars for their annual holiday. An act of 3rd March 1630 records the appointment of Mr Thomas Crawford as master and the rules given to him on that occasion. Another act of 27th December 1639 narrates the appointment of a committee to confer upon the shortening of the course of study, and acts of 30th December 1640 and 2nd January 1641 recount the transference of Crawford to the College as a regent and the election of his successor, the schoolmaster of Prestonpans.

The vulgar schools are mentioned even less. The appointments of two masters are noted, one of whom was to act as a reader in a Town church. On 8th April 1635 a committee was appointed to discuss "overtures" for vulgar schoolmasters, but the result of their deliberations is not known.

Two teachers of music were allowed in the Town, Charles Buccellis, authorised on 26th January 1627 to teach instrumental music, and Stephen Tilliedaff allowed to hold a music school by an act dated 8th December 1630, provided he were willing to serve the Town. The French school also is noticed. The master, William Cowdan or Condane, was granted 100 li. of fee on 19th February 1633, a sum increased by 50 merks some two years later. On 18th October 1639 he was authorised to teach English as well, but an act of Council of 23rd December 1640 cancelled all payments to him in future. On 5th March 1630 is noted the appointment for the first time of a Dutch schoolmaster.

##### (5) *The Correction House.*

One of the most serious problems ever before the Town Council was the support of the poor. A scheme of relief, financed by church door collections, was in operation for inhabitants unattached to any craft and wholly dependant on charity, while the manufactory of Paul's work, established in the previous reign, had sought to combine the weaving of fine woollens with the training of poor children in an honest livelihood. It had not met with the expected success, but was still the object of donations from persons interested in the work, and the recipient of a sum levied on all newly-made burgesses. Unfortunately for its differentiation from another establishment accommodated in a part of the same building, the Town Council, on 6th September 1626, alluded to this first establishment as the Correction House, although they issued a set of regulations which refer clearly to the intention of its foundation. These were made doubtless in the hope of stimulating its progress. With the same end in view, an act of 19th February 1630 appointed supervisors to inspect all material and clothes made in the place and on 13th April 1632 the withdrawal of any children under instruction was forbidden under penalties.

This attempt to cope with the question of the unemployed poor was far from adequate, as the Town Council acknowledged on 27th June 1632 when they initiated what they described as a new Correction House for vagabonds and sturdy beggars. These people had been for very long a problem throughout the whole country and the capital had not been the last to suffer from them.

The new scheme provided for the detention of such persons in a virtual imprisonment during the discretion of the Town Council, during which they should be kept at some profitable work. The experiment was authorised for a year and financed by a loan from the funds of the Kirk treasurer, till a contribution could be raised from the inhabitants of Edinburgh. Repairs in the part of Paul's Work allocated to the Correction House were ordered and the provision of such equipment for the employment of the inmates as was necessary. On 25th August the master was appointed, an Englishman, William Stansfield, reported to have had experience in a similar establishment at Wakefield, and rules were issued for his guidance. Having found the scheme workable, the Town Council applied to the King on 30th April 1633 for an act of Parliament to authorise the Correction House, to which the answer was his Letters Patent <sup>1</sup> in May 1634. On 3rd February 1636 the Town Council passed in review and approved the work that was being done in the institution, and decided that it should continue. They amplified the regulations and enacted that the master of the establishment should be an expert weaver of cloth. They also laid down that the house should be used as a place of temporary imprisonment and punishment for criminals as well as vagabonds and, with a fine confusion of aims, directed that the master should take in apprentices to learn weaving. This triple purpose was not destined to be achieved any more than it had or was to be in the adjoining establishment, though as a place of detention the Correction House continued to hold a place in the records of the City till it was superseded by the Bridewell.

#### (6) *Minor Regulations.*

The small matters which once had occupied the attention of the Town Council are even less in evidence than at the end of the previous reign, a circumstance due partly to the pressure of important business, partly to the devolution of responsibility upon committees, yet the Town Council at their own discretion took cognisance of affairs which appeared to them of sufficient importance to merit special consideration.

In June 1626 a riot among the Town apprentices was dealt with. That it had been serious is indicated by the penalties: the ringleaders were to be detained in irons in the Tolbooth; a tailor was deprived of his burghership for neglecting to give up his apprentice to the authorities, and other two apprentices were imprisoned. No reason is given for the tumult and "insolencie," but it is probable that the riot arose in connection with the weaponshowing. One of the Town's officers was implicated, for he was accused of speeches tending to mutiny and sedition. In February of the following year another riot troubled the magistrates, arising this time in Leith between seamen, when the mate of Captain Douglas' ship was imprisoned. Towards the end of May 1634 the Town Council were forced anew to deal with a tumult in the City and again in May 1636, when the journeymen shoemakers made

<sup>1</sup> Appendix xi.

trouble and were dealt with severely. But, while mere domestic riot paled before the commotion over the Service Book, the Council, as was their practice in really serious matters, forbore to record that momentous turmoil.

It was in July 1628 that the Town Council for the first time took upon them to legislate in the matter of women's dress and passed an act, which forbade the wearing of plaids over the head in public places, the Churches and any of the streets and wynds of the Town. The act bore to have been devised in the interests of morality, but from the outset was disregarded even by the honest women who had no cause to hide their faces. The Town Council were persistent: the women equally obdurate. The act was renewed four times, in April 1631, in April 1633, in November 1637 and in April 1641. Each time its terms became more explicit and the penalties for disobedience greater. It even was enacted that any person, not necessarily an official, might confiscate the plaid if worn in the forbidden way. There is no evidence, however, that the habit was abandoned.

One of the greatest dangers of the Town was fire, and this inspired an act of Council in October 1629, when rules for the sweeping of chimneys at regular intervals were laid down, under considerable penalties. Later acts forbade the practice of baking bread or drying skins in high houses, that is on any premises higher than the ground floor, for the same reason. The Town seems to have been free from any serious outbreak of fire during the period, but the Canongate was not similarly immune and a collection had to be made for those left destitute. In that connection an act of 3rd January 1640 gives a curious insight into the punishments of the day. An inhabitant of the Canongate had rescued two children from a burning house and had received injuries to his head and hands. The Town Council granted him a certificate that the resulting mutilation was due to that accident and not to any crime.

Apart from the schemes forced upon the Town by external pressure, the Council initiated or at least discussed a variety of minor reforms. In 1639 they ordered a payment to Mr Robins, Englishman, for his labour on account of some intended waterworks, a scheme which was not to materialise till much later. They took steps to prevent the keeping of savage dogs by penalising in 1631 a merchant who owned a mastiff. They considered the extravagance and other disadvantages of penny bridals and limited the attendance at weddings to twenty-four persons and their offerings to 20s. apiece. In 1636, upon the rumour of danger from an outbreak of pestilence, they closed two of the ports of the Town and set a reliable watch at the main entrances. Some years later, in 1641, they took to their consideration the risk to the inhabitants from unauthorised and untrained practitioners in surgery, who appear to have been both men and women, and, characterising their efforts as "imposture," forbade the employment of any but freemen of the surgeons' craft. Legislation in favour of that craft seems to have led to dissention within it.

Not least among their lesser reforms were the acts connected with the cleansing of the burgh. The Council had been untiring in legislating for the removal of middens from the streets. When the visit of Charles I. was imminent

they endeavoured to attain cleanliness by appealing to the civic pride of the inhabitants, as to the impression that a dirty town was certain to make upon strangers. Old usage, however, remained more potent than self respect, and an act of 1643 shows the magistrates compelled to take over the cleaning themselves, going so far as to provide a man with a cart and horse, and even wheel-barrows to remove the dirt from the many closes and wynds where a cart could not penetrate.

Burdened as the Town was with many expenses, the inhabitants yet found means to be charitable, not only to their own institutions but to the poor of their own and other countries. On 7th May 1630 the Town Council set on record the misery of the poor owing to the prevailing dearth and ordered collections to be made for their relief. A few months later, on 25th February 1631 they turned their attention further afield, to the Protestant ministers of the Palatinate, driven from their homes by the vicissitudes of war. It is true that the idea of a contribution to their necessities emanated from the Privy Council, but the Good Town responded willingly enough, for the money collected, as announced on 26th June, amounted to 4,814 li. 19 s. 4 d. Three years later they again were moved to generosity by the accounts of the famine in Orkney and contributed 4,352 li., money which the Council recommended should be spent on food for the starving inhabitants.

MARGUERITE WOOD,  
*Keeper of the Burgh Records.*

CITY CHAMBERS,  
*November 1935.*





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# EXTRACTS

FROM THE

## RECORDS OF THE BURGH OF EDINBURGH

MAY 1626 TO DECEMBER 1641.

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THIS COUNSALL BUIK OF THE BURGH OF EDINBURGH CONTEINING  
THE ACTES OF COUNSALL THAIROF BEGINIS UPONE THE LAST DAY OF  
MAII 1<sup>m</sup> vj<sup>c</sup> TUENTIE SEX YEIRIS.

*Provost*, David Aikinheid ; *Bailies*, Nicoll Uduard, Patrik Eleis, Williame Reid, Andro Ainslie ; *Dean of Gild*, Johnne Byires ; *Treasurer*, George Suittie ; *Council*, Alexander Clerk, Johnne Maknacht, Williame Dick, Andro Purves, Archibald Tod, David Richardsoun, Alexander Speir, James Inglis, Eduard Edyear, James Nairne, Thomas Weir, powderer, Williame Nemock, taelyeour ; *Deacons of Council*, Hendrie Aikman, chirurgion, Johnne Tod, skinner, Alexander Reid, goldsmith, Thomas Quhytt, hammerman, George Huntlie, taelyeour, James Broun cordiner ; *Extraordinary Deacons*, Thomas Weir, furriour, Patrik Douglas, baxter, Robert Stirling, flesher, Alexander Baxter, wricht, Thomas Fleyming, maisonn, George Hill, wobster, Johnne Wawers, walker, Thomas Craig, bonnetmaker ; *Assessors*, Mr Thomas Houp of Craighall, Mr Thomas Nicolsoun, Mr Lues Stewart, Johnne Belscheis.

31st May 1626

[The council and extraordinary deacons] elect commissioners to the nixt generall conventioun of burrowis to be haldin at the burgh of Dumbar upone the first day of Julij nixt Johnne Maknacht, merchand, and Williame Nemock, taelyeour, quha compeirand accepted and gaive thair aith . . . and electes Archibald Tod, merchand, and Alexander Reid, deykin of the goldsmiths, to be assessouris to theme.<sup>1</sup>

Commissioners  
borrowis.

2nd June 1626.

Forsameikle as be act of counsall of the dait the sevint of Appryle last the whole youths of this burgh wer appointed to be drawin up in ane cumpanie and severall officers elected to theme, as at mair lenth is contenit in the act

Act  
2 cumpanie of  
youthis.

<sup>1</sup> See *Extracts from the Records of the Convention of Royal Burghs*, vol. iii. pp. 220-30, for the account of the proceedings.

maid theranent, Notwithstanding quherof it is since cum to knowledge that thair is such ane number of infancie within this burgh as cannot be guidlie brocht in ane cumpanie and that the shortnes of tyme cuttes away the opportunitie to devyde theme in severall cumpanies according to thair quarters; thairfore thai haif thocht meitt to draw up the rest which ar not in the cumpanie of youthis first appointit in ane uther cumpanie and appoints Johnne Scott, goldsmith, capitan, James Adnistoun, taelyeour, leivetennent, Archibald Thomesoun, skynner, enseinyie beirer, Oliver Thomesoun, goldsmith, Gilbert Sommervell, taelyeour, Hew Gilmour, hammerman, and Alexander Cleghorne, wright, serjandis of the said cumpanie and to carye the touns cullouris; and ordains the first cumpanie of youthis to mairche in the vantgaird nixt the Magistrattis before the northuest quarter, and this last cumpanie to mairche in the reirgaird efter the southuest quarter and the tua cumpanies to stand in during the counsallis will allanerlie.<sup>1</sup>

Ordour  
quarters  
mairching in  
musters.

For eschewing of all contraversie anent the ordering of the cumpanies of this burgh in thair muster dayes ordains the northuest quarter to mairche first, and Thomas Chairteres and George Ker thair cumpanie to be first becaus thai haif the merchand anseinyie, and nixt Johnne Smith and Thomas Patersoun thair cumpanye to follow theme, and the Northeist nixt and in it Williame Broun and Johnne Hunter to haif the first plaice and nixt to theme Chairles Geddes and Johnne Quhyt, and then the southeist and in it Williame Geddes and Patrik Douglas and then David Makcall and James Leslie, and last the southwest James Murray and George Craufuird and then Thomas Speir and Robert Miklejohnne.

10th June 1626.

Tennent  
Spark  
wairdit.

Ordains Johnne Tennent, skynner, and David Spark, taelyeour, to be putt in the yrnis in the Tolbuith till farder ordour be taikin with theme for the insolencie and tumult committit upone the sevint of Junij instant quhairin they wer associattis and ringleiders.<sup>2</sup>

Deprivatis  
Ker Burges.

Forsameikle as George Ker, taelyeour, being yisterday commandit be the counsall of this burgh to present Johnne Davidsoun his servand past frome the counsall, mett with the said Johnne in his buith and tauld him that the counsall willed him to come to theme bot did not command him to come bot sufferit him to work in his buith ane hour efter and then to escaip and not returne to the counsall to mak his answer, And this day being callit confest the same and refusit to enter him, thairfore in respect of his dissobedience findis him to haif forfealtit his libertie and depryves him of his burgeschip and ordains him to close up his buith and dischairges him to exerce the libertie of the same in tyme cuming and ordains his burges ticket to be delet out of the buik.

<sup>1</sup> See *Extracts from the Records of the Burgh of Edinburgh, 1604-1626*, p. 304.

<sup>2</sup> There are no further details of this disturbance.



12th June 1626.

Ordains Johnne Hunter, younger, taelyeour, to present George Ham-  
miltoun and Williame Wobster, his servandis, wairnit be him to the last musters  
to the counsallous the morne efter the preiching about ten houres under  
paine of dissobedience.

Hunter  
taelyeour  
entrie servands.

13th June 1626.

Ordains Andro Lessellis, servitour to James Henrysoun, taelyeour, to be  
put in waird for the laitt tumult committit be him and uthers upone Wed-  
nesday at nicht last till he be tryet.

Lessellis  
tumult  
wairdit.

M<sup>r</sup> Johnne Hay producit ane letter frome his Majestie to the Proveist,  
baillies and counsall quhilk wes presentlie red and ordanet to be registrat  
in the buikis of counsall of this burgh quhair of the tennour followis :  
Chairles R. Trustie and weill belovit we greit yow weill. We persave by your  
letter unto us how earnestlie yow ar affected to do us service in yeilding so  
willinglie to those things which for the publick good wee thocht necessarie at  
this tyme and as it is the more acceptable unto us that yow haif done it free-  
lie of your selfis seiking onlie how to please us and not to conforme your selfis  
to others who wer not so fordward in our service so this which yow haif doone  
voluntarie salbe no preparative to mak yow be chairgit with the lyk heirefter  
bot sall mak us the more readie to extend our favour towards yow who we  
hope as yow have heirby purchased our guid opinioun yow will continew to  
preserve the samin and speciallie by the advancement of moneyis at this tyme  
for payment of tuo schippis which ar alreaddie bought and that the samin  
may be in reddines to be delyverit to Sir James Baillie with quhom the ressaiving  
therof is entrustit for quahatever supplies we ar to haive from thence at this  
tyme we intend onlie to dispose theirow for the good and saiftie of that oure  
Kingdome which sall be our cheif cair and so we bid yow hairtlie fairweill.  
Whythall the 2 of Junij 1626.<sup>1</sup>

Letter  
King Extent.

14th June 1626.

[The council and deacons, ordinary and extraordinary] ordains George Ker  
younger, taelyeour, to enter Williame Wobster, taelyeour, before the counsall  
upone Fryday nixt to be tryet anent the tumult committit upone the sevint  
of Junij instant becaus he promittit to Johnne Hunter, taelyeour to enter  
him under payne of dissobedience and deprivationoun of his libertie.<sup>2</sup>

Ker, taelyeour  
Wobster.

<sup>1</sup> See *Extracts, 1604-26*, p. 305, and note. The Council had agreed to advance the whole tax to the King, instead of paying it by instalments. The money was designed for the provision of fortifications and ships, necessary, or considered so, in view of the war with France. The question, which arose later, anent the building of a fort in Leith is stated in Appendix viii.

<sup>2</sup> See above.

Precept  
baillies  
thesaurer  
extent.

Forsameikle as be act of counsall of the dait the 22 day of Apryle last the Proveist, baillies and counsall and deykins of craftis did agrie and condescend to advance to his Maiestie thair haill taxatioun appointit to be payit in four termes quhen it sould pleis his Maiestie to require the same . . . and that his Maiestie be his missive direct to theme of the dait the second day of Junij instant had willit theme to mak payment of the same to Sir James Baillie . . . to be employet for payment of certain ships bocht for the strenthening of the craftes of this realme. Thairfore the counsall considering that the haill extent ordiner and extraordinar to be payit at four termes extends to the soume of fortie thousand pund and that the present extent to be levied of the nichtbouris of this burgh for payment of the first terme of the said taxatioun extends to ten thousand pundis [they order the bailies to collect the said 10,000 li. and the treasurer to borrow the rest and to pay over the same to the collectors].<sup>1</sup>

21st June 1626.

Gratuitie  
ministers.

Ordains the thesaurer to pay to the fyve ordinar pastours for gratuitie for thair extraordinar paynes taiken this yeir ane thousand pundis, viz., ilk man, thrie hundreth merkis. . . .

[For payment of the 30,000 li. of taxation the treasurer has borrowed as follows: from Mr Alexander Guthrie, common clerk, 14,000 merks; from Mr Joseph Johnnestonn 10,000 merks, and from Mr William Hay, commissary clerk and his wife, 20,000 merks.]

23rd June 1626.

[Mr Johnne Creichtoun, minister at Campsie, and Mr Alexander Thomesoun, minister at Cambuslang, are to be added to the leets of ministers.]

Act Rig  
Chalmers  
Colledge.

Whereas Williame Rig, merchand burges of the burgh of Edinburgh. considering with him selff that for advancement of learning thair is nothing more expedient for the youth then fit occasioun of studie and convenient plaices quherunto young students may for thair better exercise retein theme selffis the more easilie to applye thair mynd to thair buikes and sieing that in King James his colledge within this burgh thair is no thing more inlaiking then chalmers and that thair is sufficient and fit bounds to build therin hes therefore declairit that he is willing to build within the said colledge upone his awin expenssis and charges tua chalmers in such plaice as it sall pleis my lord proveist, baillies and counsall to designe unto him to remaine with theme and thair successours as ane pairt of the said worke in all tyme coming upone the conditiounes and provisiounes efter following, viz. : that the childrein procreat of the said Williame Rig his bodye sall occupye and posses the said tua chalmers ane or both as thai sall neid during thair course in the said col-

<sup>1</sup> See *Extracts, 1604-1626*, p. 304, and *supra* p. 3. The actual date of the meeting was the 21st.

ledge maill frie if thai pleis and efter his deceis and deceis of the said bairnes lawfullie gottin or to be gottin of his bodye giff it sall happin that anie lineallie discendit of the said Williame his aires salbe students in the said colledge that they be preferrit during thair course thairin to the saids chalmers ane or both as thai sall neid, paying the yeirle mail thair of to the saids Proveist, baillies and counsall. And quhen it sall happin that nane of his foresaids salbe students in the said colledge that the saids Proveist, baillies and counsall sall sett the same use and dispoone therupone at thair pleasoure they alwayes uphalding beatting and repairing the same as they sall neid. Which conditionis and provisounis foresaids the Proveist, baillies and counsall acceptes and appointes to the said Williame Rig the grund of the said colledge lyand upone the eist syid of the chalmers buildit be M<sup>r</sup> Thomas Houp and contigue to the same for building of the saids chalmers as is fitt for so guid a worke with powar also to the said Williame to putt up upone the said chalmers buildit be him in such pairt or pairtis as he sall think meittest his name and airmes or such other markis to his posteritie of his building therof as he sall pleis for further encouraging of uthers to doe the lyik.<sup>1</sup>

28th June 1626.

Forsamekle as Johnne Baxter, officer, is fund to haif misbehaivit him selff upone the sevint of this instant and spokin sundrie speeches tending to mutinie and seditioun, and als misbehaivit him selff to Williame Dick, thairfore thai depryve him of his office and ordanis him nevir to be reponit therein againe.

Deprivatis  
Baxter  
officer.

Forsamekle as umquhill George Heriot, jeweller to hir Maiestie, be his letteres of dispositioun of the dait the thrid day of September 1623 . . . and als be his latter will and testament of the dait the tent day of December 1623 yeires dispoit and left to the Proveist, baillies, counsall and ministrie of this burgh, certain soumes of money particularlie mentionat in the said dispositioun and als the superplus of all his moveable guidis quhilk is not be the said latter will left in legacie to certain his friends mentionat therein for building of ane hospitall to be fundit and buildit to the use and as is particularlie mentionat in the said dispositioun and will.<sup>2</sup> Quhilk moneyis the said umquhill George ordanit to be imployit upone land and the rent provenient therof dotted to the said hospitall for intertainement of the orphanes brocht up in the same. And that thai efter mature deliberatioun haif tryet that Thomas Fleyming esquyre and Sara Myller his spous hes certain landis lyand in Brochtoun extending to fourscore sex or sevin aikers or therabout and als Johnne Maxwell ane peice land lyand at the northsyd of the borrow loch of this burgh extending to threttie aikers of land *salvo iusto calculo* quhilk thai intend to annalie and

Act landis  
Brochtoun  
Lochflatt  
Hospitall  
Heriot.

<sup>1</sup> See Crawford's *History of the University*, pp. 99, 100, where the gift is, however, placed a year too early. Mr Thomas Hope had made his offer to build two chambers on 4th May 1625 (*Extracts, 1604-1626*, p. 268).

<sup>2</sup> See *Extracts, 1604-1626*, p. 250, and as further given in the Index.

that the saids lands are verrie ewest to the said burgh and proffitable and commodious for the use of the said hospitall thairfore thai haif ressolvit to buye the same and dott the same and rent therof to the said hospitall . . . and to that effect appointes Nicoll Uduard, baillie, Johnne Byires, dein of gild, Alexander Clerk, ald proveist and M<sup>r</sup> Johnne Hay thair clerk thair commissioners to deale with theme and to agrie for the pryce of the same landis the best cheip thai can. . . .

*5th July 1626.*

Act landis  
Brochtoun  
Lochflatt  
Hospitall  
Heriot.

[The council and ministers of the burgh being convened, their commissioners] maid report that they . . . had agriet with Thomas Fleyming and his spous for buying of his lands of Brochtoun extending to fourscore sex aikers and ane half with the landis of Middildrum and uther landis callit the Thrie Riggis with the houssis and outsettis pertening to the same for threttie thrie thousand sex hundreth merkis to be payit in land and fermes and dewtyes of the same of the present crope 1626 and mailles of the saids houssis and outsettis of the terme of Mertymes nixt and in tyme cuming to be assignit to the guid toun and als with Johnne Maxwell for his landis of Lochflatt and the land of Lugtoun for the superioritie of the same and patronage of [ ] chaipplainrie callit [ ] and superioritie of certain uther landis and annuels pertening to him as patrone therof for the soume of eichtein thousand fyve hundreth merkis to be payit at Mertymes nixt deduceing the annuelrent of the same frome Mertymes till Witsunday nixt and the entrie to the land to be in October nixt efter the crope is schorne and removed af the land. Quhairunto the saids Proveist, baillies, ministers and counsall agries and ordanis the securities theranent to be expd be advyse of thair assessouris to the use of the hospitall to be foundit within the said burgh. . . .

*7th July 1626.*

Banquett  
M. of Hammiltoun.

[The council and extraordinary deacons being convened] Forsamekle as the Marqueis of Hammiltoun being come to this burgh and is to repair presentlie to court the Proveist, baillies and counsall gaive him the spyce and the wyne and als admittit and ressaivit him burges and gild brother of this burgh and for his respect also Johnne, Erle of Cassils, Robert, Lord Boyd, Thomas, Lord Bynning, Sir Johnne Hammiltoun of Magdalen, Knicht, clerk of our Sovereaine Lords Register, Sir James Hammiltoun of Priestfield, Knicht, Claud Hammiltoun, Master of Abircorne, Claud Hammiltoun of Mauchlinhole, Johnne Hammiltoun of Broomehillis, Williame Lowdoun, servitor to my lord Marqueis, Mr Thomas Dalzell of [ ], Sir Johnne Hammiltoun of Prestoun, Sir Andro Hammiltoun of Reidhous, Knicht, ane of the senatouris of the colledge of justice. . . .

[David Urquhart, servant of Lord Bynning, is admitted burgess.]



14th July 1626.

Forsanekle as the lordis of his Maisties secret counsall hes direct thair letter to the counsall for sending of thair commissioners to theme upone the tuentie fyft of Julij instant to instruct theme quhat number of schips wilbe had at Leith for the King's service of quhat burdeyne they ar of and of quhat provisioun and of quhat nomber of sea fairing men may be had thairfore electes Nicoll Udnard and Patrik Eleis commissioners to that effect. . . .<sup>1</sup>

Commissioners  
Secrett  
counsall.

[The late Marquis of Hamilton having been indebted to George Heriot in the sum of £39,692, 12s. scots, an annualrent of £3,969, 4s. is to be paid to the council and the treasurer acknowledges payment of £9,923, 1s. 6d. as for arrears till Whitsunday last past.]

[A legacy of 500 merks by George Heriot to Adam Lawtye, writer, is paid.]

19th July 1626.

[Payment is made to the treasurer from the Royal Burghs of £1,200 Scots for the pension of Mr Patrick Hamilton.<sup>2</sup> He has paid, at command of the council, to Mr Robert Wynrahame, agent of the Burghs, the Town's share of the following undertakings: repair of the harbour of Pittenweem, £57; money due to Wynrahame, £201, 5s.; expenses of new minister's journey to Campvere, £77, 15s. 6d.;<sup>3</sup> sundry affairs, £31; agent's pension, £345; clerk's and agent's fees, £66; payment to Alexander Makecartney, £30; expenses of commissioners to Dunbar, £315, 4s. 4d.]

21st July 1626.

[Auditors for the accounts of George Heriot's money are appointed.]

28th July 1626.

[The act of Privy Council, containing the King's discharge for the taxation is inserted in the acts of the Town Council by their own order.]

4th August 1626.

[The council and ministers order payment to be made to Mr Francis Hay, writer, for work on George Heriot's affairs.]

Forsanekle as the comptes of George Suittie thesaurer of this burgh of his intronissioum with the moneyis and annuellis of the samin dispoit be umquhill George Heriot to the guid Tonn to the use of ane hospitall to be

Money and  
Heriott.  
annuellis  
dispoit be  
umquhill George

<sup>1</sup> See p. 3 *supra*, 13th June 1626, King's letter anent.

<sup>2</sup> The first entry regarding Hamilton is on 5th February 1613. He is noted as Secretary depute at Court with His Majesty and agent for the whole burghs, a new office which the departure of the Court from Scotland had made necessary. He received a yearly salary of £1,200 scots.

<sup>3</sup> Mr George Sydserff was chosen minister of Campvere in the end of 1625 (*Extracts, 1604-1626*, pp. 287, 292).

foundit within this burgh conforme to the dispositioun maid theranent being fittit calculatt and allowit be the auditouris thairto appointit thair is fund restand awand to the said George Suittie the soume of Threttein thousand four hundreth fourscoir sevintein pundis sextein shillingis four pennyes as at mair lenth is contenit in the act maid theranent off the dait the thrid day of August instant, thairfore obleissis thame selfis and thair successouris as feoffis in traist of the said hospitall to content and pay to the said George Suittie the said soume of threttein thousand four hundreth nyntie sevin pundis sextein shillingis four pennyes out of the reddiest moneyis pertening to the said hospitall betwixt and Mertymes nixt togidder with the soume of sex hundreth thriescore fourtein pundis threttein shillingis four pennyes for the annuelrent of the same frome Witsonday till Mertymes nixt togidder also with ten merks for ilk hundreth therof as for the yeirlie annuelrent of the same sua long as the samin remaynis to be payit efter Mertymes nixt.

*7th August 1626.*

Ordinance . . .  
the haill  
borrowis . . .  
Airmour . . .

[A particular Convention of Burghs is summoned to meet in the Town on 21st August] to conclude anent the fittest means of the furneissing of this realme with airmour and giff thai will undertak the same and upone quhat termes and conditiouns and quhat pryces and uther thinges concerning the same and that conforme to ane letter direct by the Lordis of his Maiesties counsall of warris direct theranent of the dait the second of August instant and also anent the proclamatioun of the greivances in sua far as the same concerneth theme and als anent the satling of an agent at Court. . . .<sup>1</sup>

*11th August 1626.*

Licence Mr  
Wm. Forbas  
to sute  
transportatioun.

[The council and three of the town's ministers being convened] Forsuameikle as Maister Williame Phorbous, ane of the ministers of this burgh, hes this day compeirit before the counsall and declaired that the dispositioun of his bodye is such that he is not abill to underlye the heavie chairge of the ministrie within this burgh and thairfore intreated that the counsall micht grant him libertie to sute transportatioun. The counsall being conscieus of his waiknes . . . agries to the said M<sup>r</sup> Williame his sute . . . and thairfore to the effect that the southeist parochin may be provydit and sufficientlie plantit ordanis to proceed to the plantatioun of that parochin with the rest out of the present lyttes.

[The council agree to take assignation from Thomas Heriot, half-brother to the late George Heriot, of his legacy of £1,000 sterling, and to make payment of the same to him upon his reaching the age of twenty-five. A contract is to be drawn up thereanent.]<sup>2</sup>

<sup>1</sup> *Rec. Conv. R. Burghs, 1615-1676*, pp. 232-6.

<sup>2</sup> See Appendix i. 2, postscript of Hay's letter.

*16th August 1626.*

[The council and extraordinary deacons elect Mr Robert Wilkie, one of the ministers of the N.E. parish; Mr John Duncanson, one of the ministers of the S.W. parish; Mr Alexander Thomson, minister of the N.W. parish.

John M'Nacht and Thomas Weir are elected commissioners to the particular convention of Burghs to be held in the Town on 21st August.]

*18th August 1626.*

Forsuameikle as James Maxwell, servitour to his Majestie, haiveing doone many guid offices to the guid Toun and in speciall at the unquhill King of famous memorie his last being heir he then being gentleman usher to his Majestie at the Parliament, the Proveist and baillies ordanit the thesaurer to mak him the banquett quhilk was doone upone Monunday last, thairfore ordanis the charges debursit thairupone to be allowit to him in his comptes as als at his request Sir James Douglas of Mensill, Chairles Busein, Esqueir, Williame Maxwell of Kirkhous Johnne Creichtoun, servitour to the said James Maxwell, M<sup>r</sup> Johnne Olyphant, advocat, Archibald Donglas and Hew Scott, servitor to the laird of Drumlanerick wer maid burgessis and gild brother of this burgh. . . .

Charge  
thesaurer  
Barquett  
Maxwell.

*30th August 1626.*

[Eleven maltmen in Leith have exercised the trade of malt making there without consent of the council, but are forbidden to do so until they are admitted by the council.

Andrew Reid, stabler, is admittid burgess at the request of James Maxwell, Esquire. The dean of gild is to repay his dues.]

*1st September 1626.*

[The council and extraordinary deacons] haiveing efter mature advysement considderit that the comptes with the executouris of umquhill George Heriot hes now lying over these sindrie yeiris since the deceis of the said umquhill George Heriot and that they understand that the legacies and debtes addebted and left be the said umquhill George to his creditouris and his freinds ar payit and that thairfore the superplus apperteneth to theme and that thairfore the said worke of the hospitall intendit may begin hes thoelit fitt to send ane commissioner to Londoun to fitt the said comptes with the executouris and to ressaive frome theme the superplus left to theme be the said umquhill George conforme to his testament and to give dischairge thairanent in als ample maner as thai may theme selffis as als to sell the jewellis giff anie sould be unsauld as als to ressaive the debtes yit addebted be the creditouris of the said umquhill George and giff neid beis to transact and agrie theranent and all uther thinges to do theranent as thai nicht doe theme selffis

Commissioner  
to Londoun  
to fitt the  
comptes  
of umquhill  
George Heriot.

and als to persew the executouris before the judges competent in caice of thair refusall and procuratouris to that effect to constitut ; and to this effect electes M<sup>r</sup> Johnne Hay thair clerk thair commissioner . . . and appointes to sett down his instructiones the Proveist, baillies, deyne of gild, thesaurer [and five others].<sup>1</sup>

6th September 1626.

Statuts and  
ordours to be  
observit in the  
Correctionn  
hous.

Forsuameikle as the Proveist, baillies, counsall and deykins of craftis for introducing of vertew within this cuntrey quhairby ane number of poore ones quho hes no meanes for upbringng and educatting theme selffes in sum vertuous tred that thairefter they nicht win thair levings with sum industrie and not becum beggeres and burdenable to these pairts quhair they are borne and bred had fund the inbringng of all sorts of manufactories of wooll to be the most expedient way both for releiff of the said poore and for trayuing theme up in vertew that thai nicht no longer prove chairgeable to the cuntrey bot nicht happielie becum guid members of the commounweill. And for this effect had to thair grit chairges and expenssis buildit certain houssis at the foote of Leith Wynd at the plaice callit Sanct Paul's Warke and had brocht sum straingers to have bein the beginners of such a laudable intentioun and thair being a number of honest men zealous for the guid of the commoun weill, that way inclinitt willing to bestow of thair awin proper meanes for intertainement of certain poore to quhome the Toun ar utherwayes subject at vertew and to be brocht up in the said worke till thai nicht haif win thair awin leving theme selffis ; thairfore for satisfacioun of the saids persounes and for ane satled ground the Proveist, baillies and counsall hes sett down statut and ordanit ane generall ordour to be observit in the said worke for upbringng and intertayneing of such poore as salbe presentit to the said worke conforme to the articles following.<sup>2</sup>

And first the saids Proveist, baillies and counsall ar content that thair be tua bookis to be maid quhairin the names of such persounes as sall bestow anie soumes of money to the said use salbe insert and registrat quhair of the one to remayne with the counsall and the uther with the masters of the said worke.

Item they sall appoint yeirlie tuo honest men quho sall not onlie keip the said books ordanit to remayne with the said worke bot sall ressaive the soumes of money that salbe givin to the said use and sall have cair of managing of the saids soumes be advyse of the counsall and some of the benefactours to the number of thrie or four as the counsall sall think fitt and outputting of the same to proffieit weiklie to the poore that salbe presentit be the geivers of

<sup>1</sup> See Appendix i. for correspondence on the subject of the Heriot legacy.

<sup>2</sup> See previous volumes of Extracts for the various attempts to support the poor and put down beggars, more particularly *Extracts, 1604-1626*, under the headings "Drapery" and "St. Paul's Work," also *The Book of the Old Edinburgh Club*, xvii.



the saids soumes in maner following which tuo honest men salbe oversicarris of the poore in S<sup>t</sup> Paul's Worke and salbe yeirlye comptable of thair intro-missioun and debursements to the counsall or to those quhome the counsall sall appoint to this effect, hes nominat this yeir James Nairne, merchand, and Johnne Diksoun, flesheour. . . .

Item when the soumes so givin and dottit sall accres to ane competent soume for intertaynement of ane poore or moe the counsall be the advyse foresaid sall caus the same be putt out upore landis or uther sufficient securitie to the end the yeirlye proffit thair of may redound to the intertaynement of one or moe poore as the same salbe fund sufficient and quhen the haill soumes dottit and gevin in maner abovewrittin sall access to that gritnes that land or heritage may be acquired therwith quhairof the yeirlye duetye may inter-tanie [ ] poore at the said worke the counsall be the advyse foresaid quhen they sall find convenient occasioun sall imploy the same upon heritage to be mortified to the said worke for the use foresaid.

Item it is agreit and condescendit upone be the counsall that quhatsoever persone sall give and dott anie soumes of money to the said worke that for ilk fyve hundreth merkis so givin and dottit sall for him selff all the dayes of his lyftyme and efter his deceis his aires allanerlye being alwayes of perfyte yeires past the aige of fourtein yeires have the presentatioun of ane poore of the conditioun and qualitie underwrittin to be intertynneit and brocht up at the said worke upone the proffit of the said soume for the spaice of ane whole yeir compleit and giff at the issew and rynning out of the said yeir the said poore one presentit salbe fund be the oversicarris of the poore of the said worke and such uther as the counsall sall appoint to try the habilitie and qualificatioun of the said poor together with the presenter not to have atteynit in the said yeires spaice to that sufficiencie as he may ather win his owne leving him selff or be so profitable to his master to whome he is committit as his said Master may gaine be his labour and service in that caice the said poore one salbe intertayneit upone the proffit of the said soume for the spaice of ane uther yeir during the which spaice it sall not be lafull to the geiver of the said money or his air to present anie uther and anent the qualitie and conditioun of the poore to be presentit to the said worke it is speciallic agreit and condescendit upone that it sall not be lafull to none of the said benefactours or thair aires to present anie poore bot such as the guid toum is subject utherwayes to maintain.

Item quhatsoever poore salbe presentit to the counsall to be intertaynyed and brocht up at the said worke the counsall sall caus the oversicarris of the poore of the said worke to bind them prenteissis to the masters of the said work for the spaice of [ ] yeires quhairof the first yeir to be intertaynieit upone the proffit of the soumes dottit for that use and for the rest of the yeires if the second yeir they be fund to haif atteynit to that degrie of knowledge that thair worke may be profitable to the masters that the masters be obleist to

intertaine theme the rest of thair prenteiship in meit and cloath and so bring theme up in all the pointes of thair traide and vocation and for their cleithing the first yeir the counsall will interceid with the sessioun of the parochie quhairout of the said poore salbe taikin for obtaining of ane stand of claithes.

Item it is alwayes provydit that gif at the expyiring of ane yeir efter the presentatioun of ane poore it salhappin anie of the benefactors or efter theme thair aire being of perfyte yeires to be out of the cuntrey in that caice the richt of presentatioun for that yeir to be in the counsalls hand sua that in that caice it salbe lafull to the counsall to present and plaice ane poore in the said worke sua that sua oft as the benefactor or efter him his air salhappin to be off the cuntrey the tyme he sould haif presentit swa oft the counsall to haif the onlie powar to present leist through negligence or absence of the benefactour or efter him of his aire the said worke sould ressaive hurt or the poore to be neglected.

Item for the encouragement of the poore that salbe putt to the said worke the counsall promittis that such of theme that efter the expyiring of thair prenteiship and sum competent yeires thairefter salbe fund worthie be theme to ressaive the degrie of ane burges to ressaive and admitt them burgessis of this burgh and that [through] thair prenteiship gif thai be perfyte in that calling.

8th September 1626.

[John Trotter and David Makeall, merchands, gave to St. Paul's Work the sums of 1,000 merks and 500 merks respectively.]

22nd September 1626.

Ordains the thesaurer to pay to Sara Myller, spous to Thomas Fleyming, for ane gratuite to hir for the alienatioun maid be hir and hir said spous of thair lands in Brochtoun to the guid toun, the soume of thrie hundreth merkis. . . .

29th September 1626.

[The bailies' accounts for extent, watch money and fines were passed by the auditors. For the first, having paid to the treasurer already £5,316, 13s. 4d., they are ordered to pay over the balance of £694, 14s. 8d. For the watch money they have a balance of £194, 8s., which the treasurer is to receive, and for the fines the treasurer is ordered to pay the balance due to them, being £557, 2s. 6d.]

[The accounts of the collector of kirk rents for the years 1624 to 1626 having been audited, he is found to owe £1,327, 9s. 2d. to the town.]

[The accounts of the dean of gild for the first year of his office having been audited, the town is found to owe him £295, 7s., with which he is to be credited in his next year's accounts.]

Forsuameikle as the parochiners of the Kirk of Currie for the maist pairt ar lyand under proces of spoylyie for the teindes of the crope and yeir of God 1624 sua that Johnne Nisbett factour thair culd nocht fitt his comptes thairfore ordains the same to be omittit furth of the comptes of the second yeir of George Suittie thesaurer his office. . . .

Compt teyndis  
Currie.

Forsuameikle as George Suittie thesaurer at the command and direction of the Proveist, baillies and counsall hes coft and ressavit frome Williame Dick, merchand burghess . . . to the use of the guid Toun the number of sextein barrellis of powder weyand barrellis and powder altogither sextein hundreth wecht for the quhilk he hes payit to the said Williame Dick the soume of ane thousand four hundreth xxv<sup>th</sup> xij<sup>s</sup> Thairfore ordains the same to be allowit to him in the accompts in the thrid yeir of his office. . . .

Pryce  
powder.

[As Mr John Hay is bound for London on the affairs of the late George Heriot, he is to be charged to deal with the Town's other affairs at Court.]<sup>1</sup>

*2nd October 1626.*

[George Suittie, treasurer's accounts for the second year of his office show a balance due to the Town of £3,436, 19s. 6d.]

*4th October 1626.*

[Baron bailies of Leith, David Johnston and Edward Farquhar : water bailie, David Johnston.

A particular convention of nineteen Burghs is summoned to meet in the Town on 31st October] anent the number of ships that may suffice for defence of this cuntrey thair birth furniture, number of men, monethlie chairges and with thair best overtoures for intertayneing thairrof.<sup>2</sup>

[John McNacht and William Nimmo are commissioners to the above.]

[The provost, bailies, ministers and council, on behalf of George Heriot's Hospital, having agreed to buy the lands of Broughton<sup>3</sup> from Sara Miller and Thomas Fleming for 33,600 merks, and having borrowed for that purpose 5,000 merks from James Rae, present treasurer and his wife, and from Robert Johnston, Esquire, in London, 9,000 merks, the treasurer has made payment of the said sums to Thomas Fleming in part payment. Bonds for the said amounts are to be given to each party. As 6,000 merks has been advanced to Thomas Fleming by the treasurer, his bond thereanent is to be cancelled and a bond is to be given him for the remaining 13,000 merks of the purchase price.]

<sup>1</sup> See p. 9 *supra*, 1st September 1626.

<sup>2</sup> *Rec. Conv. R. Burghs*, pp. 236-7. The commissioners did not answer the first part of the question, but the second, calculating that the upkeep of one ship of 300 tons, with 100 men, would cost 2,500 li seots a month.

<sup>3</sup> See p. 6, 5th July 1626.

6th October 1626.

[The extent roll is to be made out for the second term of the King's extent and exteners are appointed.

Price of tallow, 44 s. the stone ; price of candles, 52 s. the stone.

Council for the year 1626-7: *Provost*, David Aikinhead ; *Bailies*, David Richardson, Gilbert Acheson, Peter Blackburn, William Brown ; *Dean of Gild*, John McNacht ; *Treasurer*, James Rae ; *Council*, John Byres, Nicol Udward, Patrick Ellis, Andrew Ainslie, William Reid, Archibald Tod, George Suittie, John Smith, William Geddes, John Rynd, William Nimmo, Lawrence Cockburne ; *Deacons of Council*, Thomas White, armorer, John Hoppringle, surgeon, Alexander Reid, goldsmith, James Leslie, tailor, James Mowbray, skinner, Thomas Peacock, shoemaker ; *Extraordinary Deacons*, Thomas Weir, furrier, Thomas Spens, baker, Robert Skirling, flesher, John Frank, wright, Thomas Fleming, mason, John Dick, weaver, John Wawers, waulker, Thomas Craig, bonnetmaker.]

11th October 1626.

Duffe  
waifrdit  
yrouns.

Forsameikle as Williame Duff, skipper in Leith being convenit for disobedience to the magistrattis and for using certain undecent and unreverent speeches against James Cochrane in saying he wald goe the gait his cusene went, and in abusing the officers of Leith in calling theme seditious knaves lyik as the said Williame confessit he used these words towards the officers and as for the baillie confessed he said he red in the Cronicles that ane Cochrane was hangit.<sup>1</sup> For the which unreverend speeches he was ordanit to pass to waird and being goinge furth of the counsalhous in presens of the hail counsall misbehaved him self in most unreverent speeches in saying that the saillers of Leith wer persecuted persones as the Israelites wer be Pharao, for which caus the counsall ordanis the said Williame to be put in waird and lye in the yryns till they be farder advysed.

Testimonial  
Mureheid.

Grantis testimonial to Claud Mureheid, merchand, presentlie in the eister seyis <sup>2</sup> lawfullie procreat betwix James Mureheid of Braidshells and umquhill Margaret Olyphant his spous, of his lawfull birth, and the seill of caus to be appendit thereto. . . .

13th October 1626.

Testificat  
Ainslie, etc.

Grantis testificat to Andro Ainslie Joseph Marjoriebankis Alexander Heriot James Murray and Williame Dick, awners of the schip callit the [ ] of Leith quhairof George Hagie is Master cassin away at the Coquet yland <sup>3</sup> in the moneth of [ ] last testifieing theme to be awners of the said ship under the commoun seill and subscriptioun of thair clerk. . . .

<sup>1</sup> The skipper's allusion appears to have been to Cochrane, favourite of James iii., hanged on the Bridge of Lauder in 1482. The relationship attributed was, doubtless, a mere flight of fancy.

<sup>2</sup> The Easter Seas usually is intended to convey one of the countries lying round the Baltic.

<sup>3</sup> Off the coast of Northumberland.



18th October 1626.

[The marches are to be ridden on Hallowe'en.

Masters of the hospital: George Smith, merchant, James Edmiestoun, tailor.]

26th October 1626.

[The council, extraordinary deacons and three of the ministers elect Mr John Brown regent of philosophy in the college, in place of Mr James Reid, dismissed.]<sup>1</sup>

1st November 1626.

[Prices: double ale, 12 d. the pint, single ale, 6 d. the pint, strong beer, 18 d. the pint, small beer, 9 d. the pint; bread, 12 d. the one pound loaf.]

Foresamikle as the counsall haiving ressavit ane letter direct to theme frome his Majestie anent the ministers stipends of the dait at Hamptoun Court the sext of October last, the counsall ordains ane letter to be direct in thair names to informe his Majestie how far and in qubat termes ane augmen-tatioun of the ministers stipend was agreit unto and to acquaint his Majestie that thair wes ane particular soume agreed upone and of the impossibilitie the commoun guid is of to undergoe such a burdene,<sup>2</sup> as lyikwayes to desire him to insist anent the saille of the jewellis and taking ordour with the debtes thair.

Kings letter  
ministers  
stipend.

3rd November 1626.

[Two commissioners are chosen to go to the Archbishop of St. Andrews anent the King's letter about stipends and anent the vacancies in the ministry of the Town.]

22nd November 1626.

Comperit M<sup>r</sup> Johnne Adamesoun, principall of the colledge, and producit ane number of bookes given and dotted to the librarie within the colledge be M<sup>r</sup> Williame Drummond of Hathrindaill. Off the which books the said M<sup>r</sup> Johnne, principall Keiper of the librarie, grantit the ressait conforme to the inventar produced and thairfore ordains the said inventar to be prentit be it self and ane therof to be putt into the said librarie and the uther to be presentit to the counsall to be keipit be thame.<sup>3</sup>

[A certificate is granted to William Dick that he bought in London 62 barrels of gunpowder for the Town's use.]<sup>4</sup>

<sup>1</sup> See *Extracts, 1601-1626*, p. 206. Reid was appointed professor of metaphysics in 1620. He had been regent since 1603. For the reason of his dismissal see Crawford's *History of the University*, pp. 107-9.

<sup>2</sup> See *Extracts, 1604-1626*, p. 278.

<sup>3</sup> See Bower's *History of the University*, p. 180.

<sup>4</sup> See p. 13, *supra*, 29th September 1626.

24th November 1626.

[The exteut books are produced, showing that the neighbours have been taxed for £16,946, 6s. 8d.]

Hathrindaill  
burses & gild.

The counsall ordains M<sup>r</sup> William Drummond of Hathornedaill to be ressavit and admittit burges and gildbrother of this burgh. . . .<sup>1</sup>

29th November 1626.

[The sum of 3,000 merks is paid to Thomas Fleming to account of 13,000 merks still due for the purchase money of Broughton. A new bond is given to him for 10,000 merks.]

Band Roxburgh  
& Bellenden  
for thair debt  
to umquill  
George Heriot.

Foresameikle as compt and reckning being maid betwixt S<sup>r</sup> William Bellenden and the Erle of Roxburgh<sup>2</sup> on the ane part and the counsall on the uther part, of the principall soume of fourtie thousand pundis addebted be the said Sir Williame and the said noble Erle and certain uther his cautioners to umquhill George Heriot quhairunto the said umquhill George Constitut the saids Proveist and baillies his cessioners and assignayis and of the byrun annuellis thair of till Witsounday last whiche being ramassed together in ane soume was fund to extend to the soume of fyftie thousand and aucht hundreth pundis money foresaid, which soume . . . the said Sir Williame Bannatyn and the said noble Erle band and oblist theme to content and pay to the saids Proveist, baillies and counsall at the feist and terme of Mertymes last bypast with the annualrent thair of . . . extending to the soume of tua thousand fyve hundreth and fourtie pundis of the whiche soume . . . James Rae, thesaurer, grantis the ressait and thairfore ordains him to be chargit therwith in his comptis of the said umquhill George Heriots effaires . . . and grantis continuatioun of the said principall soume of fyftie thousand and aucht hundreth pundis to the feist of Witsounday nixt without prejudice alwayes to the saids Proveist, baillies and counsall to sute payment . . . conforme to thair band of the dait the 20 of September last ather be vertew of thair former securities or last band at Witsounday nixt without ane farder requisitioun and without prejudice of the requisitioun alreddie maid.

6th December 1626.

[Discharge is granted to Sir John Hamilton of Magdalens, clerk Register, on behalf of the Marquis of Hamilton, for £1,984, 12s. 3d. as annualrent on the £39,692, 12s. due by the late Marquis to the late George Heriot.]

<sup>1</sup> *Burgess Roll*, admitted 6th December 1626. See entry of 22nd November, *supra*.

<sup>2</sup> See letter of Earl, Appendix i. 10, regarding settlement two years later.

8th December 1626.

[James Hamilton, schoolmaster of the vulgar tongue, is appointed reader in the church of the S.W. parish in place of the late James Dalzell. He is granted £40 a year.]

15th December 1626.

[John Belsches, advocate, is appointed the Town's fourth assessor.]

Foresameikle as the tyme of electing of the elders and deykins for the next yeir approaches, thairfore ordains the hail counsall wha ar apointed to be chuisers of theme with the ministers and present sessioun of ilk parochie to attend to that effect upone Tyisday and Thurisday nixtocum before noone and efternoone.<sup>1</sup>

Meitting  
Counsall  
sessiouns

20th December 1626.

Foresameikle as the counsall considdering of the hurt sustenit be the bookes of the librarie for laick of aiering and dighting so that giff heid be not taikin thairto ane grit pairt thairof may be consumit quhairfore ordains the principall present Keiper of the said librarie to hyre ane servand for dighting and aiering of the saids books so oft as the same sall neid for quhome be salbe answerabill and ordains ane fyre to be kept at all neidfull occasiounes in the chimney of the said librarie and thairfore grants unto him for coalles and ane servands hyre yeirlie the soumme of fourscoir merkis. . . .<sup>2</sup>

[Library.]

22nd December 1626.

[A particular convention of Burghs is summoned for 29th January next.]<sup>3</sup> for fitting of James Lennox his comptes<sup>4</sup> and givin answer to the supplicatioun givin in be the relict of umquhill M<sup>r</sup> Alexander Makduff, minister at Campheir<sup>5</sup> and for advysing anent the signature purchest be Sir Johnne Scott<sup>6</sup> for dischairging of infetments to be givin be hesp and staiple and for the restraint of hyids laitlie published and the saids burghis to send thair commissioners sufficientlie instructed . . . as lyikwayes to require theme to send thair commissioners sufficientlie instructed anent the mater of the furneissing of the whole cuntrey with airmour. . . .<sup>7</sup>

<sup>1</sup> See *Extracts, 1604-26*, p. 278, for rules governing election of elders and deacons.

<sup>2</sup> See *Crawford*, p. 110, and p. 15 *supra*, 22nd November 1626.

<sup>3</sup> *Rec. Conv. R. Burghs*, vol. iii., pp. 239-41. It met on 31st January.

<sup>4</sup> See Appendix iii., letter of resignation.

<sup>5</sup> See Appendices ii. and iii.

<sup>6</sup> Sir John Scott, director of the chancellery, in 1630, was found to be guilty of extortion in his office. The Convention (*Rec.* iii. p. 240) found his proposed alteration of the giving of infetments within burgh to be "verie prejudiciall to thair estaitt," and gave power to Edinburgh to oppose the signature by all lawful means.

<sup>7</sup> See p. 8 *supra*.

27th December 1626.

Boyes to St.  
Pauls Worke

Compeirit Johnne Trotter, merchand, and David Makcall and David Jonkein, merchands, and conforme to the articles sett down betwixt the guid Toun and theme the sext of September last presented the boyes following to be brocht up in Sanct Pauls Work be the maisters therin . . . viz., the said Johnne Trotter, James Porteous, sone to Alexander Porteous, and Robert Raith, sone to Johnne Raith, induellers in this burgh, and David Makcall presented James Hutchesoun, sone to Robert Hutchesoun and Johnne Reid, sone to Johnne Reid lyikwayis induellers in this burgh and David Jonkein presented Patrik Lowriestoun borne in this burgh, which boyes the counsall admittis and ressavis in the said worke and ordains the present oversiears to bind the said James Porteous and Robert Keith prenteissis to Alexander Dicksoun the said James Hutchesoun prenteis to Johnne Grundie and the said Johnne Reid prenteis to Frances Watsonn and the said Patrick Lowriestoun prenteis also to the said Frances Watsoun for the spaice of sevin yeires. . . .<sup>1</sup>

3rd January 1627.

[David M'Call, one of the elders of the S.E. parish, is appointed treasurer to the four Kirk sessions.

The dean of gild and William Nimmo, tailor, are appointed commissioners to the particular convention of Burghs.]

5th January 1627.

Election  
Moresoun  
Rector.

Forsuameikle as for the weill and guid government of King James his colledge within this burgh it hes bein thocht guid that thair sould be an rector yeirlie chosen thairfore the counsall hes elected creat and constitut M<sup>r</sup> Alexander Moresoun of Prestoungrange, ane of the Senatours of his Majesties colledge of justice to be rector of the said colledge for this yeir to cum till the first of Januar nixt and anent his office and forme of his ressaving and admissioun and the solempnities to be used thairin continewis till Wednesday dixt. . . .<sup>2</sup>

10th January 1627.

[The voluntery contribution by new burgesses to St. Paul's Work amounts to £134, 6s. 8d.]

<sup>1</sup> Pp. 10-12 *supra*.

<sup>2</sup> See *Crawford*, pp. 106 and 111. The office of rector had been held previously by Mr Alexander Ramsay, professor of divinity, elected in 1620 for one year only, but who held what he admitted to have been an empty title, for six years (*Bower*, i. pp. 47 and 48). This office was ill-defined at this time. Bower states that Mr Robert Rollock was both principal and rector, but without quoting his authority. Mr Alexander Morison was a son of John Morison, several times bailie of Edinburgh, and Katherine, daughter of Sir John Preston, Lord President in 1609. He was admitted an ordinary Lord in 1626. He died in 1631.



19th January 1627.

Forsuameikle as the counsall haiveing ressavit ane letter fra Doctor Balcanquell<sup>1</sup> ordains ane answer to be drawin up to him with hairtie thankis for his paines taikin in thair effaires and concurrence with M<sup>r</sup> Johnne Hay. . . .

Ordinance  
answer to  
Balcanquells  
letter.

Foresuameikle as the counsall being informit that the debtes of umquhill George Heriot hes not bein so diligentlie gathered in be the executours as wes expected and not willing that thai sould lye anie longer over thairfore ordains ane letter to be direct to M<sup>r</sup> Johnne Hay for taking ordour with the saids debtes and putting end to that business the best he can. . . .<sup>2</sup>

Ordinance Hay  
for Heriots  
debtes.

24th January 1627.

[A tack of the Society is set to William Dick for one year for 40 s. a year.]

26th January 1627.

[The extraordinary deacons agree to the tack.]

. . . The counsall being advertised be M<sup>r</sup> Johnne Hay that the executoris [of umquhile George Heriot] had refused to denude thair handis of the jewellis bandis and uther writts before they had ressavit ane band of Williame Dick, merchand in Edinburgh, and David Mureheid, merchand in Londoun of thair indempnitie containeing therin the soume of ane thousand fyve hundreth pundis money of England, and that thairfore he had agriet with the saids executoris that the saids persounes sould grant unto thame ane band contening thairin the said soume with speciall provisioun and conditioun that giff the saids executouris or anie of theme sall have knowledge of the bringing commencing or prosecuting of anie actioun bill or plaint against theme or anie of them for anie debtes or legacies as executories to the said umquhile George give notice therof in wrytting unto the said David Mureheid or anie of the deputes or attorneyis for the toun of Edinburgh . . . that then giff the said Williame Dick or David Mureheid or ather of theme thair aires executoris or assignayis doe truelie pay or cans to be payed unto the saids executoris or annie of theme all such soumes of money, legacies, debtes and damages salbe recovered be judgment upone tryell ordour or decree against the saids executoris or anie of theme as executoris of the said umquhile George or also pay such charges as they or anie of theme be reason of anie suitt commenced or to be commenced against theme or anie of theme as executoris foresaid or saive and keip theme harmeles of all suchlyik actiones judgements suitts or decreis, Then the said band and obligatioun to be void and of no effect or els to stand remaine and be of full force and vertew Lyik as at the earnest desyre of the saids Proveist,

Dick  
Mureheid  
Band Heriot.

<sup>1</sup> See *Extracts, 1604-1626*. Dr. Walter Balcanquell, son of Mr Walter, sometime minister in Edinburgh, and Dean of Rochester, was appointed one of the overseers of Heriot's will.

<sup>2</sup> See Appendix i., No. 2.

baillies, ministrie and counsall the said William Dick hes signed and delyverit the said band with the conditioun and provisioun above writtin on the bak thairof and hes writtin to the said David to signe the same lyikways [For which reason the Provost, bailies and council, as governors of the hospital to be built in the burgh and as representing the community, bind themselves to warrant and relieve the said William Dick and David Murehead, merchants, and order the tenor of the bond to be inserted in the books of the Council, as follows]: Noveritis universi per presentes nos Willielmum Dick de civitate Edinburgi in fra regnum Scotie mercatorem et Davidum Mureheid civitati London mercatorem teneri et firmiter obligari Roberto Johnnestoun Willielmo Terrie et Gedeo Delawne executoribus ultime voluntatis Georgii Heriot nuper defuncti in mille et quingentis libris bone et legalis monete Anglie solvendis eisdem Roberto Johnnestoun Willielmo Terrie et Gedeo Delawne seu alium eorum aut suo certo actornato Ad quamquidem solutionem bene et fideliter faciendam obligamusam nos et utrumque nostrum per se per toto et in solido heredes executores administrato et assignato nostros firmiter per presentes sigillis nostris sigillatas, dat [ ] die [ ] anno domini Millesimo sex centesimo vigesimo sexto stilo Anglie anno regni domini nostri Caroli dei gratia Anglie Scotie et Hibernia regis fideique defensoris anno secundo. [An explanation of the bond follows.]

Licence  
Buccellis  
Frenchman.

Grantis licence to Claud Buccellis, Frenschman to instruct the youth of this burgh in instrumental musick during the counsallis will.

*31st January 1627.*

Beir  
mercatt.

Forsameikle as the plaice of the ordiner beir mercattis of this burgh hes bein of long tyme bypast disfrequented and now the counsall hes caused red and repair ane plaice within thair hallis within the nether Kirkyaird of this burgh for ressaift of the said beir, thairfore ordanis proclamatioun to pas through this burgh intimatting to all and sundrie quhome it concerneth that the said plaice is appointed for the said beir and barlie mercatt and that such as brings anie beir or barlie to be sould within this burgh that they be required to repair thairwith to the said plaice as the onlie plaice appointed for that effect.<sup>1</sup>

*2nd February 1627.*

[The council order the treasurer to repay to Thomas Speir the sum of 3,000 merks with the annual extending to £100.]

[To assist in paying a part of the legacies of the late George Heriot, the council borrow 3,000 merks from Thomas Speir and give a bond for the same.]

<sup>1</sup> The meal market, for the sale of all grain and corn, was appointed by the Letters under the Privy Seal of James III. in 1477, to be held on the High Street from the Tolbooth to Liberton's Wynd (Charters, p. 140). In 1601 the magistrates caused build halls in the Nether Kirkyard for the sale of victual, which were opened in 1602 (*Extracts, 1589-1603*, pp. 289, 300). This building was probably designed as an imitation of continental market places.

9th February 1627.

Ordains ane missive letter to be direct to M<sup>r</sup> Johnne Hay acquainting him with the proceedings anent the late proclamatioun restraining hydys<sup>1</sup> as lyikwayes anent the mater of ane peck to the boll<sup>2</sup> and sicyik anent Archibald Hamilton for the debt auchtand be his brother to umquhill George Heriot and to move his Majestie heiranent in name of the borrowis.

Missive  
Hay.

20th February 1627.

Ordains ane missive letter to be direct to M<sup>r</sup> Johnne Hay desyring him in thair names and in name of the borrowis to petitioun his Majestie for discharge of the penall statuttis<sup>3</sup> and in speciall that anent the peck to the boll, at leist for superceeding thair of till his Majesties hithercoming. . . .

Missive  
Hay.

William Duff, skipper in Leith, being convenit for abusing of the officers of Leith in presens of the magistrattis of Leith and misbehaving him self to the saids Magistrattis confessed and acknowledged his oversicht and offence and submittit himself in the counsallis will, for the which the counsall ordains the said Williame to pas in waird.<sup>4</sup>

Submission  
Duff  
wairdit

23rd February 1627.

Compeirit Johnne Ker, chirurgian and ordiner chirurgian to the poore of this burgh and dimittit and overgave his plaice of ordiner chirurgian to the poore in the Proveists hand.<sup>5</sup>

Dimissioun  
Ker Touns  
chirurgian.

Andro Henrysoun, sailler in Leith, being conveynit for the ryot doone upone Tysday was aucht dayes in Leith and in impeding of Johnne Rae, water baillie officer, in executing of his office denyed the same which thairefter wes provin be famous witnessis suorne and ressavit in his owne presence who deponit the said Andro to haif committit the said ryott and to have bein the only beginner and author of that tumult, quhairfore ordains the said Andro to be putt in waird till they be farder advysed.

Henrysoun  
wairdit.

Johnne Wilsoun, mariner in Leith, being conveynit for assisting at the ryott above writtin and for laying hands on Johnne Rae, confessed the same and thairfore ordains the said Johnne to be putt in waird till they be farder advysed.

Wilsone  
wairdit.

<sup>1</sup> See *Rec. Conv. R. Burghs*, iii. pp. 197, 207, respecting Lord Erskine's patent, and the tax to him upon imported hides.

<sup>2</sup> This may be the custom on imported victual discussed in the particular Convention in March 1626 (*Ibid.* p. 213, 225).

<sup>3</sup> See *Extracts, 1601-1626*, p. xi.

<sup>4</sup> See p. 14 *supra*.

<sup>5</sup> There seems to have been no record of his appointment. The previous official surgeon, James Henderson, had been appointed in 1585, during an outbreak of pestilence (*Extracts*, iv. p. 420).

Patersone  
wairdit.

Thomas Patersoun, gunners meatt in Capitan Douglas schip, being conventit for assisting at the ryot in Leith upone Tysday was aucht dayes with ane drawin suord in his hand and utterit lyikwayes certan unreverend and undecent speiches in presens of the counsall, thairfore ordains him to be putt in waird till they be farder advysed.

Missive  
burrows  
airmour.

Ordains missive letters to be direct to the burghis of Stirling, Lynlithgow, Haddingtoun, Sanctandroes for convening at this burgh the last of this instant for geiving ansuere to the lords of his Majesties counsall of ware anent the furneissing of the cuntrey with airmour.<sup>1</sup>

28th February 1627.

Hendersoun  
Toun chirurgian.

The counsall presentis James Hendersoun, chirurgian to the vice and plaice of the ordiner chirurgian to the poore of this burgh . . . and ordains the baillies to present him to the sessionis.<sup>2</sup>

2nd March 1627.

James Drummond, merchand, being conventit for unreverend speaches used be him against the deane of gild and his counsall and thair authoritie denyed the same which being instantlie provin the counsall ordains the said James to pas to waird and to produce his burges ticket till they be farder advysed.

4th April 1627.

Kings Letter  
Sword  
Gown.

Compeirit M<sup>r</sup> Johnne Hay and producit his Majesties letter direct to the Proveist, baillies and counsall of this burgh of the dait the 3 daye of Mairche 1627, quhilk they ordain to be insert and registrat in thair counsall buikes *ad futuram rei memoriam* quhairof the tennour followis: *Sic suprascribitur* Chairles R. Trustie and weilbelovit we greet yow weill. We have persaived by the effectes your affectionoun to oure service quhairof we will not be unmindfull when furder occasioun sall offer whereby we may expres oure respect unto yow. We have sent yow a token of oure favour a sword and gowne to be worne by your proveist at such times and in such maner as wes appointed by oure late deare father.<sup>3</sup> As yow have begun to be cairfull in oure service we doe not doubt bot yow will frome tyme to time continew to doe the like and speciallie in giving your best furtherance in so far as yow can convenientlie doc to Sir

<sup>1</sup> The records of the Convention do not note this meeting. See p. 8, 7th August 1626.

<sup>2</sup> See note 5 *supra*. The *Burgess Roll* gives no surgeon of that name other than the one mentioned above.

<sup>3</sup> See *Historical Charters*, No. 74, granting to the Provost the privilege of having carried before him a sword, sheathed in velvet, such as was borne before the Mayor of London, and ordering the wearing of robes by the Council, dated 10th November 1609 (*Extracts, 1604-1626*, pp. 57, 62). The sword is still in use.



James Baillie of Lochend, Knight, who is to advance divers grit soumes of money for our important and urgent service abroad and lykwayes that yow encourage our remanent borrowes to do the like and to pay such pairt of the taxatiounes as are to be payit by theme with all convenient diligence that possibill can be used, which recommending unto your serious caire and which we will tak as acceptable service doone by yow unto us we bid yow fairweill. From our court at Newmerkat the 3 of Merche 1627. And als the said M<sup>r</sup> Johnne producit the sword sent be his Majestie and delyverit the same in counsall and therupone tuik instruments and the same wes delyverit to my lord Proveist to be keiped be him to the Touns use and ordains to advyse againe Fryday nixt quha sall beir and quhen the same sall begin to be borne before the Proveist.

M<sup>r</sup> Williame Stewart maissir delyverit the auld mais quhilk he had of the guid tounes . . . and the same was delyverit to the deyne of gild to be keipit be him. Mais.

*6th April 1627.*

[The council and extraordinary deacons] appointes . . . the hail youths of this burgh friemens sonnes and prenteissis to be drawin up in tua companies the ane of merchandis and the uther of craftsmen and to carye the Tounes cullouris without uther badge and to mairehe the companie of the merchandis in the heid of the rest of the troupes and the craftsmen in the reare . . . And ordains ilk maister to answer for his prenteis and servand, ilk father for his sone and ilk deykin for thair craft for thair peaceable behaviour.<sup>1</sup>

Merchands and  
craftis youths  
tua companies.

*13th April 1627.*

[A general convention of Burghs is to be held at Ayr on 3rd July next.]<sup>2</sup>

*18th April 1627.*

[A Particular Convention of Burghs is to be held in the Town on 1st May] to treat anent the penall statuttis the securitie of the tred from Dunkirkeris and the teathes pertening to the borrowis.<sup>3</sup>

*19th April 1627.*

Electes M<sup>r</sup> Hendrie Charterous, suntyme principall in the colledge and now minister in the north syid of the brig of Leith, professor of divinitie in the colledge of this burgh induring the counsallis will. . . .<sup>4</sup>

Electioun Mr  
Heudrie  
Charteris,  
professor of  
divinitie.

<sup>1</sup> *Extracts, 1604-1626*, p. 304, 7th April 1626: p. 1 *supra*.

<sup>2</sup> *Rec. Conv. R. Burghs*, vol. iii., pp. 242-52.

<sup>3</sup> *Ibid.*, pp. 241-2. It was agreed to send Mr Alexander Guthrie and the commissioner for Stirling to the King to ask assistance.

<sup>4</sup> See *Crawford*, pp. 111-2.

20th April 1627.

Stipend  
professor of  
divinitie.

[The council and extraordinary deacons being assembled]. Forsameikle as the rents of the soumes of money dotted for sustentatioun of ane professor of divinitie within the colledge of this burgh is not sufficient for intertaynement of the said professor and that the Proveist, baillies, counsall and deykins of craftis of this burgh consideris how necessar it is that the plaice salbe supplied thairfore thai have agriet to grant unto M<sup>r</sup> Hendrie Charterons, now elected professor of divinitie in the said colledge, during his service thair yeirlie ane thousand merkis, and to provyid him suffieientlie of ane hous to duell in with this provisioun alwayes that quahatsomevir soumes of money sall be dotted heirefter to the said professor the rent thairof sall accres to the guid Toun for the releiff of the superplus payit be theme to the said professor mair nor is alreddie dotted ather for his yeirlie annuitie or hous maill, and als if thair be more dotted then will amount to the said soume of ane thousand merkis and hous rent yeirlie then the same to accresse to the said professor.<sup>1</sup>

Precept  
thesaurer  
Dick.

Forsameikle as the executoris hes at requeist of the judges deputt be the court of thesaurie of England causit David Mureheid factor in London, pay to Williame Adamesoun in contentatioun of the paines susteynit be him in umquhill George Heriot's effaires since his deceis the soume of sextein pundis stirling and hes reported his dischairge thairupon, thairfore ordains the thesaurer to pay the said soume to Williame Dick in his name. . . .<sup>2</sup>

25th April 1627.

[In the bailies' accounts of the extent, they are found to owe the Town the sum of £2,325, 6s. 8d., which is to be paid to the treasurer. In their accounts of the fines, the Town owes them £1,723, 16s. 3d., which is to be repaid by the treasurer.]

2nd May 1627.

Election  
wardens St.  
Pauls warke.

Electes . . . Alexander Speir and George Suittie, merchands, and Thomas Weir, powderer, and James Leslie, taelyeour, to be wardens of Sanct Pauls Work for this yeir to come.

4th May 1627.

Commissioners  
conventioun  
burrowes.

Appointes commissioneris to attend the commissioun of the revocatioun<sup>3</sup> Johnne Byres, Nicoll Uduard and Thomas Quhytt, deykin, and ordains theme to attend quhen the Toun is wairnit.

<sup>1</sup> See *Extracts, 1604-1626*, pp. 185, 190, 210, 236, 246, 248. The total sums bequeathed amounted to rather more than 2,800 li.

<sup>2</sup> See *Ibid.*, Appendix xxxv. pp. 415, 419. William Adamson, servant to George Heriot, had various grievances against the executors, which he detailed in two letters to the Council, dated 1624 and 1625. He had been left a legacy of £100 sterling.

<sup>3</sup> Following on the King's General Revocation, dated 12th October 1625, of which the text is given in the proceedings of his first Scots Parliament in 1633. See App. i., 5, 8.

9th May 1627.

Forsameikle as M<sup>r</sup> Alexander Guthrie is ordanit to pas to Court in the burrowis effaires thairfore ordains him also to deale with his Majestie anent such bissines as concernis the guid Toun. . . .<sup>1</sup>

Guthrie  
Court.

11th May 1627.

Ordains M<sup>r</sup> Hendrie Charterous, professor of divinitie, and all professors therof in tyme to cum to teache oulklie ilk Tysday and Fryday ane lessoun or public lecture of divinitie in the commoun hall of the colledge of this burgh making tua in the oulk as lyikwayes to caus his studentis once in the oulk privatlie to exercise in Laittine in some contravertit heid of religioun confirming the treuth and refuting errour and give theses therupone against the which they sall dispute efter the said exercise to the whiche the said professour sall preside and sall caus theme lyikwayes monethlie to have publict dispuittis and sall caus theme lyikwayes weiklie to have publict exercise in the commoun scoolles upone Monenday in the morning and sall lyikwayes tuyse or thrise or oftner as occatioun offeris, reid to theme a lessoun in the Hebrew language at such houres as he sall think most expedient.<sup>2</sup>

Injunctions  
professor  
divinitie.

16th May 1627.

[The weaponshowing is fixed for 8th June.]

[Mr Alexander Fairlie is elected sword-bearer with a yearly salary of 20 li.]

Ordains the Proveist, baillies, deyne of gild, thesaurer and auld proveist to wear scarlett gounes according to the patent in all tyme cuming and the Proveist presentlie upone Sunday nixt to putt on his robes and weare theme publictlie, and the remanent to provyid theme selffes betuixt and the fyftein day of Julij nixt and ordains the sword to be borne upone Sunday nixt.<sup>3</sup>

Sword Robes  
Sunday.

18th May 1627.

[The council and deacons of crafts with the ministers of the burgh] haiving consideratioun of the paines and travellis taikin be M<sup>r</sup> Johnne Hay in the effaires concerning unquhill George Heriot's hospitall and in fitting of the compts with the executours being fyve severall jurneyis at Londoun albeit they can not as liberallie as they think his paines merite make retributioun yit leist he sould be altogether neglected ordains thair thesaurer to pay him thrie thousand tua hundreth merkis in satisfactioun of his paines and to Johnne Yair, his servand, four hundreth merkis. . . .<sup>4</sup>

Precept  
Hay  
Yair.

<sup>1</sup> See p. 23, 18th April 1627 and note.

<sup>2</sup> See p. 22 *supra* and note.

<sup>3</sup> See pp. 23, 24 *supra*.

<sup>4</sup> See Appendix i.

Comptis Hay  
of George  
Heriot  
executorie.

The same day foresameikle as the Proveist, baillies, ministers and counsall of this burgh as feoffis in trust of the superplus of the guides geir and soumes of money pertaining to umquhill George Heriot, jeweller to his Majestie, dottit be the said umquhill George to the use of ane hospitall to be foundit within this burgh . . . grantit commissioun to M<sup>r</sup> Johnne Hay, commoun clerk of this burgh, to mak compt reckning and payment with M<sup>r</sup> Robert Johnnestoun William Terrie and Gedeon Delaune, executoris to the said umquhill defunct by billis, bonds, comptes recknings, buikes, privie seilles or warrandis quhatsumevir jewellis, ringes, stounes, diamonds or utheris insicht plenissing, guides or geir quhatsumevir pertaining to the said umquhill George Heriot and intromettit with be theme as executoris foresaid or with the quhilk they aucht or micht have intromettit with be vertew of thair said office and to ressave from theme the supperplus of the said estait remayning in thair handis and to sell and dispoone upon the said jewellis to the use of the said hospitall . . . lyik as accordinglie upone the last of November last compt and reckning being maid betwix the said executoris and the said M<sup>r</sup> Johnne Hay of their intromissioun with all and quhatsumevir soumes of money guides geir insicht plenissing, jewellis, ringis, diamonds and utheris soumes quhatsumevir intromettit with be thame and pryces for the quhilk the samin was sauld, as als of all and quhatsumevir bands, billis, comptes recknings, buikes, privie seilles and warrands quhatsumevir of anie debtes addebtet to the defunct remayning in their handis, the saids executoris was fund restand awand at the fitting of the saids comptes the soume of ane hundreth ane pund, auchtein shillingis, nyne pennys halfpenny stirling money as als the rest of the jewellis contenit in the 49, 50, 51, 52 and 53 pagis of the said accompt extending to the soume of eight thousand fyve hundreth fourscore eight pundis sevin shillingis iiijd. money foresaid together with the billis, bonds, buikes, comptes, privie seilles and utheris warrands remayning in thair handis quherof thair is restand awand the soume of sextein thousand four hundreth fourscore pundis fyftein shillingis sex pennyes money foresaid contenit also in the 44, 45 and 46 pages of the said accompt . . . Of the quhilk superplus and restis of the saids accomptes . . . the saids executoris maid deliverie to the said M<sup>r</sup> Johnne Hay, commissioner foresaid lyik as the tua several comptes of the said M<sup>r</sup> Johnne Hay of his intromissioun with the restis of the saids comptes als weill of soumes of money as of the rests of the jewellis ressavit be him frome theme or pryces ressavit be him frome theme for the samin for the quhilk the samin was sauld, as als of the billis, bonds, accomptes, buikis, privie seilles and utheris warrandis ressavit be him frome theme as als of the soume of tuentie ane pundis mair ressavit be him frome theme to the use foresaid as als of the soume of fourscore twelff pundis xiiij s. 6 d. ressavit be him frome M<sup>r</sup> Powell be vertew of ane letter of attorney grantit be the executoris to him to that effect being fittit calculat and allowit be the auditoris of the accomptes thairto appointit . . . the said M<sup>r</sup> Johnne was fund restand awand to the saids Proveist, baillies, ministers and counsall . . . the soume of ane hundreth and tuentie punds stirling [they approve the accounts and order him to pay the said sum to James Rae,



treasurer, who is to be charged also with £1,296, 4s. 4d. sterling, got for the jewels. The debts following, due by bond, Rae is to collect : Sir William Alexander, £1,000 ; William Dick, merchant, £1,000 ; Sir James Baillie, £500 ; John Johnnestoun, £777, 15s. 6d. ; Sir Hew Montgomerie, £125 ; the Viscount of Clandibowie, £462 ; the late James Primrose, £42 ; Mr David Heriot, £8 ; the late George Heriot in Loughniddry, £10 ; Mr James Lawtye, £350 ; Sir Robert Ker, £400 ;<sup>1</sup> all sterling money. He is to be charged with all the warrants and privy seals of the debts due by the King,<sup>2</sup> and those due by the Duke of Buckingham,<sup>2</sup> Lady Annan, Lady Candish, Lord Porbek, Lord Kensington, Mr Thomas Carye, Mr Kirk, and with the bonds for money due by Lord Annan, the Earl of Kellie, Mistress Gargress, Sir Robert Flood, Sir Anthony Thomas, George Heriot, shoemaker, Mr Hairt, Andrew Robertson and Sir David Murray and with a declaration by Burlamakie anent Franciscetta Heriot.]<sup>3</sup>

*23rd May 1627.*

[John Maknacht and William Nemock are elected commissioners to the convention of Burghs at Ayr on 1st July.]

*6th June 1627.*

Electes to confer with doctor Balcanquell deyne of Rotchester anent the frame of the hospitall to be foundit conforme to George Heriot his letter will and testament the Proveist. baillies, dein of gild, M<sup>r</sup> Andro Ramsay, M<sup>r</sup> Williame Struthers and M<sup>r</sup> Thomas Sydserff, ministers, Johnne Byires, Nicoll Uduard, Patrik Eleis, Archibald Tod, Thomas Quhytt, James Leslie and Alexander Reid.

Balcanquall  
frame  
hospitall.

*13th June 1627.*

[The treasurer is to be charged with the sum of £1,984, 12s. 3d., being the annual rent of £39,692, 12s. due by the Marquis of Hamilton to the council, for the last Martinmas term.]

*15th June 1627.*

Having consideratioun of the estait [of] Christian Katherein and Issobel Fynlasounes lawful childrein to umquhill Patrik Fynlasoun procreat betwix him and Jeane Rollok, his spous, quilk umquhill Patrik wes lawfull sone to umquhill Michael Fynlasoun, merchand, burges and gildbrother of this burgh and that the said umquhill Patrik neglectit in his tyme the libertie he nicht haif enjoyit through his father and for supplie thairof ordains his said childrein to enjoy that same libertie of burgeschip and gildrie as if the said Patrik had bein admittit burges and gild brother of this burgh be richt of his father, and ordains the deynis of gild of this burgh to ressave their spousis in that same maner quhen thai salbe lauffullie maryet. . . .<sup>4</sup>

Burges  
gildbrother  
Fynlasouns.

<sup>1</sup> See Appendix i., letters 2 and 8.

<sup>2</sup> See *Ibid.* letter 2.

<sup>3</sup> See *Ibid.* letters 2, 5, 7, 8.

<sup>4</sup> See *Extracts, 1539-1603*, p. 250, and *Extracts, 1604-1626*, pp. 71, 128, for the story of Jean, daughter of Mr Robert Rollok, first principal of the college. The last entry, on 2nd June 1615, while recording the payment of her promised dowry of 1,000 merks, omits the name of her husband, now supplied above.

22nd June 1627.

Arreistment  
legacie Mitchell  
lowsed.

Agries to louse and pas frome the arreistment maid upone the legacie left to Robert Mitchell and his spous be umquhill George Heriot in respect the same wes payit before the deceis of Jeane Mitchell thair dochter to Joseph Merjoriebankis and sua fallis not under the provisioun of the forfait conteynit in the testament.<sup>1</sup>

For buying a  
parcell of  
ground for a  
stans to Heriots  
warke.

[The late George Heriot having left the surplus of his estate and his two great tenements for the building of a hospital and having given absolute power to Dr. Balcanquall, Dean of Rochester, to settle matters with the provost, council and ministers] and now that the said M<sup>r</sup> doctor Balcanquall, deane of Rotchester, haifing repairit to this burgh for performing of his pairt and dewtye with the said Proveist, baillies, ministers and ordinarie counsall of the said burgh anent the stance and saitt of the said hospitall and viewit the foresaid tenements mortifiet be the said umquhill George to that effect<sup>2</sup> thai all in ane voice findis not onlie the saids tenements and bounds of the samin ar incapable of so grit a worke the bounds of the samin being so scairce and no pairts therabout fitt ather for enlaирing of the worke or yit for orcheyards, gairdens and walkis which ar absolutlie necessar for the said worke bot also that the samin landis ar for the maist pairt ruinous and thairfore that the dountaking of the samin and redding of the grund will be more expensive and will expend gritter sounes of money then will acquire ane far lairger and commodious parsell of grund for setting and making of ane stans to the said hospitall and making of ortchairs, gardeins and walkis fit for the samin and thairfore thay all in ane voice agrie and condiscend that sum commodious and fitt plaice be bocht for the use of the said hospitall and situatioun thairof and that the rentis of the saidis tenements remayne with the same hospitall or urtherwayes that the samin be sauld and the moneyis gottin for the samin convertit to the use thairof.

The same day forsameikle as the Proveist, baillies, ministers and counsell of this burgh and M<sup>r</sup> doctor Balcanquall, deane of Rotchester, hes efter mature deliberatioun and guid advyement tryet and fund that the parcell of grund contening ten aikeris of land laitlie acquirit be the guid toun from Sir George Toures of Innerleith, Knight, and thairefter invironit with ane wall and incorporat with the rest of the said burgh and haldin of his Majestie in frie burgage as pairts and pendicles of the said burgh<sup>3</sup> . . . is the most fitt commodious, spacious and pleasant ground for situation of ane hospitall, thairfore they agrie and condiscend that sex aikeris of the samin or therabouts be bocht frome the thesaurer of the guid toun for the use of the hospitall . . . and

<sup>1</sup> In Heriot's will the sum of 100 merks sterling was left "for the guid and benefeit of Robert Mitchell, my lait servand, and Katherinein Marjoribankis his wyff and unto thair dochter, which I will sal be payit to Joseph Marjoribankis." the annual rent to be paid to the said Robert and his wife for their lives and the principal to be paid, after their deaths, to their daughter.

<sup>2</sup> The land destined by Heriot for his hospital was situated at the foot of Todrig's Wynd and Gray's Close in the Mint buildings. The description of the place in Heriot's will is "the venall callit Grays Clois or Coynehous Cloise."

<sup>3</sup> See *Extracts, 1601-1626*, pp. 176, 177 and note, 184.

that the same be situat therin and buildit conforme to the paterne of the samin givin be the said deyne of Rochester . . . and ordains the said worke to be gone in hand with all expeditioun and that all materiales be bocht in dew season to the effect that thai begin to big and build upone the fyftein day of Maiche nixt and all to be done conforme to the paterne and praescript maid be the said deyne of Rochester with advyse of the saids Proveist, baillies, ministers and counsall and for the better effectuatting therof . . . hes nominated Nicoll Uduard, merchand, thesaurer to the said worke till Michaelmes nixt and forder to continew during thair pleasure and farder they have ordaynit and agreit that the said hospitall salbe buildit upone the rent of the moneyis landis and tenements pertening to the said hospitall and that the samin thairafter may be convertit to the use of the said hospital in maner conteynit in the said letter will.

The same day . . . agries to sell and dispone to the use of George Heriot's hospitall all and haill that parcell of the landis of Hie Riggis pertening to theme quhilk lyes bewest the westmost coynzie of the buriall yaid quhilk salbe drawin frome the samin to the hie gait be ane direct line quhilk salbe drawin frome the samin to the said hie gait lyand betwixt the saids landis of Hie Riggis and the land sumtyme pertening to Johnne Maxwell and now to the said hospitall to [ ] for the soume of [ ] for the quhilk the samin wes bocht to be payit to the Tounes thesaurer and to pay proportionallie according to the number of aikers as salbe measured and allowit thairto.

Agriement to  
the selling of  
aikers to  
Heriots warke.

*29th June 1627.*

Ordanis the thesaurer to pay to the fyve ordinar ministeris of this burgh as gratuitie for thair extraordinar paines taiken this yeir ilk man thrie hundreth merkis. . . .

Ministeris  
extraordinar  
paines  
gratuitle.

Ordanis the thesaurer to ressaive Sir James Baillie his band as principall and M<sup>r</sup> Williame Chalmeris as souertie for him in payment of threttein thousand merkis at Mertymes nixt addebtet be him to George Heriot's hospitall.

Charge  
thesaurer  
Baillies band of  
xiiij merkis.

Forsameikle as M<sup>r</sup> Johnne Adamesoune, principall of the colledge, hes causit print to the use of the same ane Catachisme, and hes bestowit the chairges in printing of the same and dedicatted the buikes to the counsall. Thairfore in recompence of his paines and in token of thair affectioun to him they ordaine the thesaurer to pay to him the soume of four hundreth merkis. . . .

Precept  
thesaurer  
Adamesone.

*4th July 1627.*

[An acquittance is to be granted to Sir James Hamilton, Viscount Clandibowie for his payment of 10,000 merkis, in full of the principal of £440 sterling and interest due by him to Heriot's Hospital.]

Gratuitie  
Balcanquall.

Ordanis the Proveist [and] baillies to caus give ane gratuitie to Doctor Balcanquall for his paines taken in setting down the statuttis concerning George Heriot his hospitall and expensis debursit in repairing to this burgh by and attour his legacie. . . .

[The treasurer is to be charged with £500 sterling paid by Sir James Baillie and with £1,000 sterling paid by William Dick.

The treasurer is to be charged with the bond for 13,000 merks lent at command of the council to Sir James Baillie.]

13th July 1627.

Ordinance  
Heriots  
Hospital  
timber.

Ordanis Nicoll Uduard thesaurer of George Heriot's hospitall to fraucht ane schip to bring home jeisting and uther commodious tymber for thair worke.

The same day compeirit M<sup>r</sup> James Reid, late Regent of the Colledge of Edinburgh and professor of divinitie thair, and declared that he had servit with quhat faithfulness and honestie he could and since upone sunn malhour it had pleased theme to dismiss him thair service he wald not contend with theme bot rather willinglie dimitt those plaices he had of theme and producit and gaive in his dimissioun underwrittin quhairof the tenour followis: I M<sup>r</sup> James Reid, resigne and give over in the handis of my lord Proveist, baillies and counsall of Edinburgh the plaice of Regencie and professioun of Metaphysicks in King James Colledge at Edinburgh in witnes quhairof I have writtin and subscriyvit thir presentis with my hand at Edinburgh the 13 day of Julij the yeir of God 1627 before thir witnessis, M<sup>r</sup> Robert Balcanquall and doctor Balcanquall. . . . (signed).<sup>1</sup>

Table statuts  
Heriots  
Hospitall.

[The provost, baillies, council and deacons] being convenit in the efternone in the counsallhous as feoffs in trust guyderis and governouris of the hospitall to be foundit within this burgh to be callit George Heriot his hospitall compeirit Doctor Walter Balcanquall, deane of Rochester, and for fulfilling of the trust reposed in him be umquhill George Heriot, jeweller to his Majestie and conforme to the powar grantit to him in the said umquhill George his testament and codicill annexit thairto producit the buik of statuttis underwritten subscriyvit with his hand and seallit with his seale willing the Proveist, baillies, ministers and counsall to accept the same and to reull and

<sup>1</sup> Reid had been a former student in the College, had graduated under Adamson in 1600, and was appointed professor of metaphysics in 1620 (*Bower*, i. 130, 150; *Extracts, 1604-1626*, p. 206). He was also one of the professors who spoke before James VI on his visit to Edinburgh in 1617 (*Crawford*, pp. 83-5). *Crawford* gives the story of the reason for his resignation, a quarrel between him and Mr William Struthers, one of the city ministers, who had alluded to philosophy in terms resented by Reid. The influence of the city ministers upon the Town Council was too strong to permit of a fair hearing being granted to Reid, and after some delay he was persuaded to send in his resignation, receiving as recompense for 24 years service the sum of 1,000 li. He was still alive in 1655 (*Ibid.* pp. 107-9). See *supra* p. 15.



gouverne the said hospitall conforme to the same quhen the same salbe finisched quhilk being red considerit and maturelie advysit be the saids Proveist, baillies, ministers and counsall . . . they agried thairto accepted the same and for theme and thair successours in all tyme cuming promittit to reull and governe the said hospitall conforme to the tennor and praescript of the saids statuttis quhilk thai have ordanit to be registrat and insert in the buiks of the said hospitall. . . .<sup>1</sup>

*18th July 1627.*

The counsall . . . for the lang bygainie service doone be M<sup>r</sup> James Reid late regent in the Colledge of this burgh these tuentie four yeires bypast ordanis the thesaurer to pay to him the soume of ane thousand pund. . . .<sup>2</sup>

Reid  
regent  
in lib.

[James Flowers, bonnetmaker, is received burgess for payment of 40 li.]

*27th July 1627.*

[The Council and ministers being assembled] forsameikle as Sir Williame Bannatyn and his souerties hes given ane band for payment of fyftie thrie thousand thrie hundreth and fourtie pundis as principall togither with the soume of tua thousand sex hundreth thriescore sevin pundis as for the annuelrent of the same to the Proveist, baillies, ministers and counsell of this burgh as feoffs in trust of umquhill George Heriot his hospitall at Mertymes nixt and that in ratificatioun of the first securitie maid theranent Thairfore ordanis the thesaurer to be chairgit thairwith in his comptes.

Band of  
53340 lib.  
Bellenden to  
Heriots warke.

*3rd August 1627.*

[The treasurer has paid to Mr Joseph Johnston 10,000 merks in redemption of an annualrent of 1,000 merks on the common good.]

*10th August 1627.*

[The accounts of John Nisbett, factor of Currie, for the years 1624 and 1625 having been examined, he is found owing a balance of £1,175, 3s. 9d. for the first, and £879, 3s. for the second year.]

*15th August 1627.*

[Mr John Rae, master of the High School, presented Mr John Hodge as doctor there in place of Mr Robert Fairlie. The council admit him.]

<sup>1</sup> See Bedford, *History of George Heriot's Hospital*, p. 328, Appendix vii. for the text of the statutes.

<sup>2</sup> See p. 30 *supra* and note.

31st August 1627.

Comptis  
Suittie  
Heriots  
warke.

[The council and ministers] being conveynit in counsell forsameikle as the thrid and last comptes of George Suittie, thesaurer, of his intromission with the rentis and moneyis pertening to umquhill George Heriot his hospitall being fitted calculat and allowit be the auditouris thairto appointed by and attaur the soumes of money addebtet to him be his second compt conforme to the act of counsall of the dait the fourt of August 1626 thair is fund restand awand to him the soume of sex thousand nyne hundreth fourscore nyne pundis fyftein shillingis aucht penneyis as in the act maid theranent of the dait the xxvij day of Februarij last is at mair lenth conteynit. Thairfore ordanis James Rae, thesaurer, to pay to him the said soume together with the annuelrent of the same sua lang as the same sall remayne unpayit beginning frome August last 1626.

Precept  
thesaurer  
hospitall  
Heriot.

Forsameikle as James Rae . . . advancit to Thomæs Heriot the annuel-rents of his legacie addebtet to him of the termes of Mertymes and Witsounday nixt and hes accepted upone him selff the defalcationnes of the annuelrent of the same, thairfore ordanis Nicoll Uduard, thesaurer to the hospitall, . . . to pay to him the soume of sex hundreth pundis at Mertymes nixt and uther sex hundreth pundis at Witsounday nixt and tak his dischaarge for the same. . . .<sup>1</sup>

Discharge  
thesaurer  
Suittie.

Forsameikle as James Rae . . . hes payit to George Suittie, late thesaurer, in pairt of payment of the soumes addebtet to him conforme to his comptes at Mertymes last ane thousand merkis and at Witsounday last fyve thousand merkis, thairfore ordanis the same to be allowit to him in his compts of umquhill George Heriot his effairs he produceand the said George Suittie his dischaarge upone the ressait of the same.

Discharge  
thesaurer  
Fleyming

Forsameikle as James Rae, thesaurer, hes payit to Thomas Fleyming the soume of sevin thousand pundis and to the guidman of Craigcruike the soume of sextein hundreth pundis addebtet to theme be the Proveist, baillies, ministers and counsall of this burgh as feoffis in trust of the hospitall . . . conforme to the securities maid to theme theranent quhilk was for payment of the landis of Brochtoun and Lochflatt respective thairfore ordanis the same to be allowit to him in his comptes he produceand thair dischaarge. . . .<sup>2</sup>

Discharge  
thesaurer  
legacie  
Heriot.

Forsameikle as James Rae, thesaurer hes thankfullie contentit and payit to Alexander Ramsay at Mertynes last the soume of sevin hundreth fourscore fourtein pundis in pairt of payment of the legacie left to him be umquhill George Heriot as als at Witsounday last the soume of fyve thousand sex hundreth pundis in compleit payment of his said legacie<sup>3</sup> as also to George

<sup>1</sup> Thomas, George Heriot's half-brother, was left £1,000 sterling, payable to him at the age of twenty-five.

<sup>2</sup> See pp. 6, 14, 15, 18 *supra*.

<sup>3</sup> Alexander Ramsay and his wife, Margaret Scott, niece of Heriot, received a legacy of £1,000 sterling, to be invested in land for the benefit of their child or children.

Scott, younger, at Mertymes last in pairt of payment of his legacie left also to him the soume of fyve hundreth pundis as also at Witsounday last the soume of thrie thousand fyve hundreth fiftie pundis fourshillingis in compleit payment of his said legacie<sup>1</sup> as als to Lodovick Keir and his spon, at Mertymes last tua thousand merkis in pairt of payment of his legacie left also to him and his spon and als at Witsounday last the soume of sex hundreth tuentie eight pundis in compleit payment of his said legacie. Thairfore ordanis the same to be allowit to him in his comptes he produceand thair severall dischaarges upone thair ressait of the same.<sup>2</sup>

*12th September 1627.*

[The council and extraordinary deacons being assembled] forsameikle as the comptes of James Rae, thesaurer, of his intromissioun with the rentis of umquhill George Heriot his hospitall being fitted . . . he is fund restand awand to the said hospitall . . . the soume of fyve hundreth fourscore fourteen pundis ten shillingis four pennyes . . . without prejudice always of uther soumes of money addebted to him conforme to his securities quherof thair is no allowance taikin in the said compt, Thairfore ordains him to pay the said soume to Nicoll Uduard, thesaurer of the said hospitall, and him to be chairgit thairwith. . . .

Rae thesaurer  
hospitall  
comptes  
fitted.

[The sum of £6,999, 15s. 8d. being due to George Suittie, as spent by him on George Heriot's affairs, Nicoll Uduard is to pay to him the interest on the same.

The accounnts of George Suittie of his intromissions with the rents of the good Town show a balance due by him of £602, 10s., which he is to pay to the present treasurer.

The accounts of John Byres, dean of gild, of his intromissions with the rents of the gildry during the 6th year of his office show a balance due to him of £371, 11s. 8d., which the present dean of gild is to pay to him.]

*14th September 1627.*

Forsameikle as the effaires of this cuntrey doe requyre that thair be sum skilfull in warris taikin up for the guid Tounes service and to assist and concur with the Magistrattis for militarie directionnes and to obey thair injunctiones theranent and being informit of the qualificatioun of Capitan William Grahame of Barloch, Thairfore they have agriet and conduced with him for thrie monethis to come and farder induring the counsallis will quha compeirand accepted and gaive his aith de fideli administratioune for the quhilk and his paines to be taiken therin [sic].

<sup>1</sup> George Scott was a son of Heriot's sister Margaret, married to Robert Kincaid. His legacy was £800 sterling.

<sup>2</sup> Ludovick Keir and his wifc Marie Kincaid, daughter of Heriot's sister Margaret, received a legacy of £800 sterling.

19th September 1627.

Warrant  
Diksoun.

Compeirit M<sup>r</sup> Thomas Gilbert and producit ane warrand of the lordis of his Ma. privie counsall subservyit be my lord Chancellor in presentia dominorum of the dait the auchtein of September instant ordaning and commanding the saids Proveist and baillies and counsell to desist and ceis frome all proceeding against Adam Diksone, sone to Thomas Diksone, apothecar burges of Edinburgh, Johnne Cokburne, his servand, and James Lauder, anent the slauchter of umquhill James Hardie, maltman, and to desert the diett if anie wer appointed for that tryell. . . .<sup>1</sup>

21st September 1627.

[The tacksmen of Bonnington mills declared that their tack expired at Martinmas 1627 and that they gave up the said mills.]

25th September 1627.

Levie  
Mortoun  
souldiers  
France.

Forsameikle as it is his Ma. pleasur that the Proveist, baillies and counsall . . . sall use thair diligence in levieing of such competent number of abill and qualifiet persounes as they can attein unto to pas in his Maiesties service to Fraunce under the commandement of ane noble and potent Erle Williame Erle of Mortoun conforme to his Ma. lettre direct to the saids Proveist, baillies and counsall thairanent daittit at Bagschott the xvij of august last bypast Thairfore the saids Provcist, baillies and counsall ordanis proclamatioun to be maid through this burgh be sound of drum makand mentioun to all persounes of whatsumevir rank or degrie that pleisis to pas in the said service in name of the guid Toun they cum to the Magistrattis and inroll thair names betwixt the day and dait heiroyf and the thrid day of October nixtocum that by and attour thair ordiner pay to be payit to theme be the said noble Erle and his officeris they salbe maid burgesis and friemen of this burgh be the saids Proveist baillies and counsall . . . ilk ane of thair awin traids quhilk they profes with such uther favour as can be extendit to theme and certifeing such as ar abill and qualifiet and cumes not to inroll thair names betwixt and the said day to the effect foresaid sall injoy no benefeit or libertie within this burgh in tyme cuming or expect anie favour thairefter.<sup>2</sup>

28th September 1627.

[Cornelius Cuthbert is elected mace-bearer, with a yearly salary of £56.]

<sup>1</sup> There is no reason given for this command. Parliament was not sitting at that time in Edinburgh, so that it is improbable that the reason was an infringement of the Constable's privileges.

<sup>2</sup> It seems that there is an allusion to this matter in Hay's letter from Court of 28th May 1628, where it is stated that the King "challenged our neglect in the mater of the Ile of Rae." Recruiting in the town certainly did not come up to expectation. App. i. 7.



3rd October 1627.

[The acts anent the hours of meeting and wearing of gowns are renewed.]

Council for the year 1627-28:<sup>1</sup> *Provost*, David Aikinheid; *Bailies*, Alexander Speir, George Suittie, Thomas Charterous, Gilbert Williamesoun; *Dean of Gild*, Johnne Maknacht; *Treasurer*, James Rae; *Council*, Johnne Byires, David Ritchardsoun, Gilbert Achesoun, Peter Blaikburn, Williame Broun, Patrik Eleis, Andro Ainslie, James Murray, Williame Gray, Stephan Boyd, Thomas Weir, hammerman, Johnne Tod, skinner; *Council Deacons*, James Leslie, tailor, Andro Scott, surgeon, Adam Lamb, goldsmith, Thomas Broun, hammerman, James Tuedy, skinner, Thomas Paok, cordiner; *Extraordinary Deacons*, David Murray, furrier, Thomas Spens, baker, Nicoll Henrysoun, flesher, George Sincler, wright, William Wallace, mason, Alexander Cochran, weaver, Johnne Crystie, waulker, Alexander Somer, bonnetmaker.]

10th October 1627.

[Alexander Speir is appointed bailie of the markets, George Suittie, bailie of council affairs, Thomas Charterous, court bailie, and Gilbert Williamesoun, bailie for the affairs of Leith.]

12th October 1627.

[The members of the council of Heriot's Hospital accept office. Nicoll Uduard is elected treasurer to that work, assessors and auditors are appointed, as also the day of their meeting.]

Forsameikle as his Ma. be his lettre recommendit to the Proveist, baillies and counsall of this burgh to assist the Erle of Mortoun with quhat supplie of men they could have and that they for obedience to his Ma. and furtherance of his service in the Ile of Rae<sup>2</sup> hes fund out Williame Hunter, taelyeour, James Squier, taelyeour, George Keadie, post, Williame Dalruple, taelyeour Duncan Buchannan, indweller in this burgh, Ninian Bischop, maisson, Archibald Douglas in Dalkeith, Andro Makeartnay in this burgh, Bartilmo Gryntoun Andro Lindesay, Stephan Ranye and Johnne Crystie, induelleris in this burgh who hes willinglie offered theme selffis to go in the said jurney. Thairfore the counsall ordanis to mak to ilk ane of theme ane sute of apperell and to agrie with theme with quhat further supplie of moneyis is necessarie for theme and quhat ever chairges they deburse theranent ordanis [the] thesaurer to pay the same . . . and ordanis the baillies to deliver theme to the Erle of Mortoun to goe with him in the service of the Ile of Rae.

[Price of the stone of tallow, 44 s.; of eandles, 4 merks.]

<sup>1</sup> It was made a reproach to Hay at Court that he had kept Sir William Nisbet from being elected provost and had helped to put in Aikenheid, who was known as an opponent of the King. See Appendix i., letters of 28th May and 13th June 1628. Doubtless it was to his election that was attributed the failure of the recruiting for the expedition to Ré and the opposition to the fortification of Leith. It is a new aspect of Aikenheid, hitherto assumed to be a supporter of Charles I.

<sup>2</sup> See p. 34 and note. Of the following men named as volunteers, six subsequently appear in the Burgess Roll: Squier, Keadie, Dalruple, Makeartnay, Gryntoun and Lindesay. If only twelve men could be found, of whom eleven only from the burgh, there is little wonder that the King was ill-content with the efforts of the magistrates.

17th October 1627.

[Masters of Trinity Hospital: Johnne Spens, merchant, Patrick Douglas, baker.]

Ryding  
Halloweven.

Ordanis proclamatioun to be maid for ryding of the Mairches upone Alhallowmes nixt and the neithbouris to be wairnit to accompanie the Proveist, baillies and counsall upone horsbak in thair best array ilk man under payne of ane unlaw of tuentie pundis. . . .

Ordanis the deyne of gild and his counsall to admitt . . . Sir Michael Prestoun burges and gildbrother of this burgh be richt of M<sup>r</sup> Johnne Prestoun, his father. . . .

19th October 1627.

Fowsies and  
fortis at Leith.

Nominattis Johnne Maknacht . . . Johnne Byires, Williame Brown, Joseph Merjoriebankis, Williame Geddes, Thomas Weir, James Leslie and Andro Scott to consult anent militarie effaires and in speciall anent the raising of ane fort for preservatioun of the herbarie of Leith and securitie of the roade for casting of fowsies and utheris workis for keiping the enemye frome landing as also of the meanis how the same salbe effectuat . . . as als how the haill inhabitants of this burgh and Leith salbe trained up in militarie discipline and armed. . . .<sup>1</sup>

26th October 1627.

[A weaponshowing is to be held on 17th November, according to the proclamation of the Privy Council.]

2nd November 1627.

[A particular convention of Burghs is summoued for 20th November.]<sup>2</sup>

9th November 1627.

[Price of strong and double ale, 14 d. the pint ; single ale, 7 d. ; strong beer, 20 d. the pint ; single beer, 10 d. ; the 12 d. loaf is to weigh 1 lb.]

13th November 1627.

Fortifications  
at Leith.

[The council and twenty-two neighbours] being all convenient within the counsellous . . . at counsall haiveing efter mature deliberatioun taikin to thair consideratioun the imminent dainger quhilk may befall not onlie to the particular estait of this burgh but mutche more to the publick of the Kingdome

<sup>1</sup> See Appendices anent fortification of Leith. This entry makes it appear as though the Council undertook the work on their own initiative. The papers in the Appendix show that the question of the defence of Leith had been raised by the King (Appendix i. 7 ; Appendix viii.).

<sup>2</sup> *Rec. Conv. R. Burghs*, pp. 254-7.

ineacie anie forrairie invasioun sall happin and that it is considerable that the fortifieing of Leith ather totall or partiall may be verie much available for thair preservatioun against forrairie invasioun and since the straitnes of tyme requyres expeditioun; thairfore it is thocht fitt be the Proveist, baillies, counsall and utheris conveynit that the counsall sall tak the same to thair caire and consult and advyse ather with his Ma. the lordis of his Ma. secreit counsall or utheris delegatt be his Ma. or lordis to that effect concerning the same and how the chairges alsweill of the fortificatioun itselfi and building thairof as of the intertainiement of the same and souldiers to guard the same and how the same may be provydit in numberis of powder artilliarie and bullett and utheris thinges neidfull for the same may be had and how the same may be frome tyme to tyme continewit and that they have cair that nothing be doone theranent to the prejudice of the liberties of this burgh bot that the same may be preservit in integritie and pairtis haldin of utheris superioris within the said toun of Leith be brocht under thair commandement and quhat salbe doone theranent that before annie small conclusioun be taikin that the ald Magistrattis, counsall and utheris of this burgh quhome the counsall sall think fitt be againe conveynit [and] acquaint thairwith that finall conclusioun may with thair advyse be taiken theranent.<sup>1</sup>

*14th November 1627.*

[The accounts of Johnne Nisbett, collector of the kirk rents for the year till May last show a balance due to the Town of £594, 14s. 7d.]

*16th November 1627.*

[Johnne Maknacht and Thomas Weir are appointed commissioners to the particular convention of Burghs.

The extraordinary deacons ratify the act anent the fortification of Leith.

A taeck of Bonnington mills with the mill lands and teind sheaves is set to Johnne Sinclare and Johnne Trotter, merchants, for £700 a year.

The same day forsameikle as the necessitie of the present effaires and of the preservatioun of the burgh against forrairie or intestein invasioun requyres and for the better encouragement of the neighbouris of this burgh it is fitt that thair be ane public airmour provydit in some publict hous <sup>2</sup> appointed to that use that the same may be readie quhen occasioun sall present of anie publict service. Thairfore statuttis and ordanis that ane voluntar contributioun and supplie salbe maid through the neighbouris of this burgh quha

Tounis  
armorie.

<sup>1</sup> See preceding page. This entry, taken in conjunction with the appendices, illustrates the Town's design to seize the opportunity to extend their superiority and consolidate their privileges in Leith by profiting from a period of national emergency. It was in 1560 that the Council, in obedience to the commands of the Privy Council, set about the demolishing of the fort built by the French troops during the regency of Marie de Lorraine.

<sup>2</sup> Previously it had been the duty of every burgess to provide his own armour only. It is not clear whom the Council proposed to supply from their store, possibly those not yet eligible for burgesship.

will voluntarie offer the same of such armour as they sall frielie give and ordanis the deyne of gild and his counsall to collect the same and putt up the same in the publick armourie to be keiped thair to publick use and ordanis theme to call and conveyne the neighbouris of this burgh before theme and require thair voluntar contributioun and to mak inventar of ane buik of such armour as salbe givin and als ordanis that in all tyme cuming ilk man quha is admitted burges of this burgh ather be his birthricht, mariage, prenteischip or utherwayes sall give to the public armorie ane sufficient muskett, muskett staff and heidpeace ane bandilier, and if the pairtie quha is admitted burges hes richt to the gildschip that then he present to the publick armorie ane corslett pick and heidpeace, and if any quha is admittit burges haiving no richt to the gildschip the tyme of his admissioun at anie tyme thereafter obtaine him selff maid gildbrother then and in that caice he salbe obleist and give for the publick armorie ane corslet pick and heidpeace by and attour that quhilk he gaive the tyme of his admissioun to be burges. It is alwayes heirby provydit that notwithstanding of quhat salbe givin in to the publick armorie ilk burges and gildbrother salbe bundin and obleist conforme to his aith to have his awin armour appointit to him the tyme of his admissioun and quhilk he presents as his awin and keip the samin as his awin to serve the guid Toun as he salbe requyrit conforme to his aith and ordanis the deyne of gild and his successouris to have caire of the publick armorie and to find out ane man to have the oversicht thair of for preservatioun of the same frome roust and nther inconveniencies.

*20th November 1627.*

[A blank space of three pages is left for the articles for the fortification of Leith, to be presented to the Privy Council.]<sup>1</sup>

*23rd November 1627.*

Apointes commissioners to attend the commissioun of the revocatioun quhen the Toun is wairmit Johne Maknacht, Thomas Weir and M<sup>r</sup> Alexander Guthrie.<sup>2</sup>

*28th November 1627.*

[A tack is granted to William Dick of the ale and beer brewhouses of the Society, with the croft and arable land for five years for 4,400 merks payable at four terms in the year.]

*30th November 1627.*

[Cornelius Cuthbert is appointed clerk of the markets.]

<sup>1</sup> See 13th November *supra* and Appendix viii.

<sup>2</sup> See 4th May 1627 and note.



12th December 1627.

[The bailies are to collect the third term of the King's extent, being the sum of £16,011.]

Assessors are appointed to the masters of Trinity Hospital for paying out the money.]

26th December 1627.

[The bailies' accounts of the extent having been audited, a balance is due to the Town of £707, 6s. 8d. They have collected £15,793, 13s. 4d.]

In the accounts of the fines the Town owes to the bailies £258, 0s. 4d.]

2nd January 1628.

[The council and extraordinary deacons] electes Maister Hendrie Rollock, minister at Kynnocher, to be ane of the ministers of the northeist parochin and to be joynit with M<sup>r</sup> Thomas Syidserff minister thair, and ordanis lettres to be direct to my lord of Sanct Androes and to the said Maister Henry for his repairing thither.

Election  
Rollock  
minister.

8th January 1628.

[The council, extraordinary deacons, twenty-two merchants and six craftsmen] being all conveynit in counsall anent the ansueris maid be the lordis of counsall to the articles givin in be the guid toun to theme anent the fortificatioun of Leith with the replyes maid be the counsall to the same being red they approve the same and ordanis the same to be givin in to the lordis of his secreit counsall and to heir and report thair answer.<sup>1</sup>

Answers  
Replies  
fortifications  
of Leith.

16th January 1628.

[The presentation of Mr Henry Rollock to the vacant charge of the north-east parish is to be made out, signed and sent to the Archbishop of St. Andrews.]

25th January 1628.

[Mr David Mitchelsoun, minister of [ ] in the Mearns, is elected to the south-east parish as colleague to Mr Johnne Maxwell.]

James Nairne, merchant, and Johnne Dicksoun, flesher, are elected masters of St. Paul's Wark.

The accounts of the voluntary contribution to St. Paul's Work show that the treasurer received £200, 14s. 2d., paid £120 to James Nairne and has in hand £80, 14s. 2d., of which he has made payment to the Town's treasurer.

A tack is set to James Murray, master of work, of the parsonage and vicarage teinds of Babertoun and Qhlytlaw in the parish of Currie for nineteen years, for £8 for the latter and £4 for the former, with 800 merks of grassnm.]

<sup>1</sup> See Appendix viii. and 23rd November *supra*.

30th January 1628.

[The accounts of James Rae, treasurer, for the first year of his office, show a balance due to him of £3,649, 9s. 5d., which, with the interest, is to be allowed to him in his next accounts.]

Uddert  
charge  
lm merkis.

Ordanis to chairge the thesaurer with Nicoll Uddert his band of ane thousand merkis in his nixt comptes as als with the thrie dozane schoolles bocht in Leith.

[The accounts of Johnne Maknacht, dean of gild, for the first year of his office show a balance in favour of the Town of £543, 3s. 2d.]

A tack of the parsonage and vicarage teinds of Quhelpsyde is set to James Broun in Quhelpsyde for nineteen years for 40 merks.]

1st February 1628.

Decreit  
skynneris  
contree  
Ker.

Anent the complaint givin in be James Tuedye, deykin of the skynneris, in his awin name and in name and behalf of the remanent brether of the said craft against Andro Ker, burges of the said burgh, makand mentioun that quhair it is not leasome to anie unfrieman to worke anie worke pertaining to the skynner craft within this burgh except he be admitted frieman of the said craft, nather yitt sett out anie examples of any worke thairto apperteining in thair buikes; notwithstanding quhairof the said Andro to the gritt prejudice of the said craft and thair liberties daylie be him self his wyiff and servands works sundrie purses of leather and of silk and lynes the samyn with leather quhilk onlie appertenis to thair said trade and maks uther wark thairto apperteining and hinges up the same in his buith to open veiwe to sell to the manifest overthrow of thair liberties. . . . [The council, having heard the pursuers and defender] ordanis the said defender to desist and ceas frome using or exercing anie point of skynner craft . . . and dischairges him . . . to hing up anie bachle or exaple in his buith to publick view of anie handie worke proper to the craft. . . .<sup>1</sup>

Scarlett  
gowns.

Ratifies . . . the act of counsall maid upone the 18 day of Maij last anent the wearing of scarlett gownis<sup>2</sup> and ordanis the baillies, dayne of gild, thesaurer and auld Proveist to have theme in readines and weare theme upon the 16 of Merche nixt but farder delay.

6th February 1628.

[Mr Henry Rollok, minister, is to have a stipend of 1,200 merks and 200 merks for house rent.]

<sup>1</sup> A curious point may be noted, that the skimmers attack Ker as unfreeman in the craft, while alluding to him as a burgess. It is probable that he was a merchant, since he possessed a booth.

<sup>2</sup> See act of 16th May 1627 *supra*. A like reluctance seems always to have been shown by the Council towards the wearing of gowns.

Agries to sell and dispone to the use of George Heriot's hospitall eight aiker and ane half of the ten aikeris of land acqyrit frome Innerleith to be the stanse of the said hospitall to be haldin of the guid Toun in frie blensche for payment of ane penny quhen it salbe requyrit for the soume of sevin thousand sax hundreth and fyftie merkis to be payit to the thesaurer . . . and ordanis chairtour and seasing to be givin thairupone.<sup>1</sup>

Agriement for  
eight of  
Innerleithis  
aikers to  
Heriotts  
hospitall.

[Tack to James Stirling of the teinds of two-thirds of Harlaw and two-thirds of Nether Byrno for nineteen years for £80 a year.

Tack to the six tenants of Cockburne of the teinds of those lands, each for their own parts for nineteen years for £60 a year.

Tack to the four tenants of Pilmure of the teinds of those lands for nineteen years for 100 merks a year.]

*13th February 1628.*

[Tack to Sir George Forrester of Corstorphine, Kt., of the teinds of the Sacristan lands in the parish of Currie for nineteen years for £50 grassum and 40 s. a year.

Tack to Thomas Fleming and Sara Myller, his wife, of the teinds of the third part of the west end of Langhernistoun for £40 a year.

Tack to Thomas Paterson of the teinds of the third part of Harlaw for nineteen years for £8 a year.

The accounts of the Masters of Trinity Hospital show a balance due to the hospital of £1,793, 18s. 7d.]

*27th February 1628.*

Compeirit Thomas Broun, elder, and actit him self in all tyme cuning to pay with the rest of the nichtbouris his pairt of the extents layed upone this burgh in respect quhairof the counsall ordanis the deyne of gild to admitt . . . his prenteis.

Broun  
actit.

*29th February 1628.*

[Tack to Thomas Craig of Riccartoun of the teinds of two quarters of the town and lands of Currie for nineteen years for £17, 10s. a year and £160 of grassum.]

*19th March 1628.*

Appointes James Achesoune to be dreilmaster of this burgh . . . to dreill the inhabitants of this burgh as he salbe commandit be the Magistrattis and counsall for the quibilk cause they graunt unto him four hundreth pundis.<sup>2</sup>

Electioun  
Achesoune  
dreilmaster.

<sup>1</sup> The land of High Riggs was bought for the sum of 5,800 merks. The cost of the dyke built round it is not available, but, in any case, the Council were no losers over the transaction. See proceedings of 22nd June 1627 (p. 28).

<sup>2</sup> See act of 14th September 1627 *supra*, appointing William Grahame of Barloch to a similar post for three months.

*2nd April 1628.*

Hay  
court.

Appointes Maister Johnne Hay thair commissioner to pas to court. . .

*4th April 1628.*

[The extraordinary deacons approve the above appointment.]

Statute  
topsters.

Ordanis that no inhabitantis within Leith mak malt brew or top or vent aile or wyne or keip hostlarie within the same bot these quha ar admitted to the libertie thairof be the Proveist, baillies and counsall . . . under the payne of fyve pundis for the first falt, the payne of ten merkis for the second falt and the payne of ten pundis and escheitring of the stuiff for the thrid falt and that na malt be browin within Leith bot that quhilk is grund at the Tonnes mylnis of Bonyngtoun under payne of the confiscatioun . . . of the malt grund elsquhair . . . and this to be enacted in thair barroun court of Leith. . . .<sup>1</sup>

*9th April 1628.*

[Mr David Mitchellsoun, minister, is to have a stipend of £1,200 merks and a house rent free.]<sup>2</sup>

*10th April 1628.*

[The council, extraordinary deacons and ministers] agries to buye from Andro Logane of Coatfield and M<sup>r</sup> James Raith the landis of Coatfield and the remanent aikers of land in propertie lyand within the Barronie of Restalrig extending in the hail by the landis of Staneydaill to fourscore saxtein aikers of land presentlie occupyet be him and his tennentis . . . and als the remanent aikeris within the said barronie pertening to him in superioritie to the use of the hospitall of the Trinitie Colledge and that for the soume of threttie nyne thousand pundis to be payit to M<sup>r</sup> James Raith at Witsounday nixt and als the landis of Staneydaill for the use of the guid Toun for the soume of ane thousand pundis to be payit at Witsounday nixt. together with the ludging and barne and barneyaird in Leith for the use of the said hospitall, and als to buye frome Robert Logane tuentie tua aikeris of land of the said barronie pertening to him in propertie and apprysit be him from Johnne Mathesoun for the use also of the said hospitall for the soume of ten thousand thrie hundreth thriescore xvj pundis to be payit at Witsounday nixt. . . .

[The Masters of the Hospital are ordered to advance £1,000 to Mr James Raith and £376 to Robert Logane in part payment of the above sums.]

<sup>1</sup> In accordance with the statute of 29th November 1620 regulating the admission of venters of ale and wine in Leith. See 30th August 1626 (p. 9 *supra*). This matter came up as one of the grievances of Leith: see Appendix x.

<sup>2</sup> This would be one of the houses in the Kirkyard of St. Giles.



30th April 1628.

Comperit Archibald Sydserff, merchand, and in name of Elizabeth Persoun, relict of umquhill M<sup>r</sup> Ritchard Persoun, citizen and draiper of Londoun, and delyverit ane silver boll double overgilt with ane cover all weyand thrie-scoir tua unces and ane half with ane lether caice left in legacie be the said umquhill Maister Ritchard to the Proveist, baillies and counsall of this burgh quhairof they graunt the ressait and dischairges the said Elizabeth relict foresaid for ever which was instantlie delyverit to James Rae, thesaurer . . . and ordanis ane letter of thankis contening ane dischairge of the said legacie to be direct to hir.

Persoun  
legacie  
silver bowl  
double over gilt  
good toun.

2nd May 1628.

Compeirit David Broun, saiddler, and Robert Cranstoun and humblie acknowledgit thair ryott and oversicht in dimolischung ane pairt of ane hous pertaining to Thomas Speir quhairof he was in repairing at thair awin handis by all ordour of law and humblie craived the counsall pardoun for thair said attempt and satisfiet the pairties lyikwayes, thairfore and in taiken of thair repentance frome thair hairt obleissid themselfis that they sall not committ the lyick in na tyme heirefter bot sall carrie theme selfies as it becumeth civill citizens to doc under paine of forfaitour of thair libertie.

Remission  
ryott  
Broun  
Cranstoun.

16th May 1628.

[The weaponshowing is appointed for 11th June.]

23rd May 1628.

Compeirit the candlemakeris burgesis of this burgh and referrit theme selfis in the counsallis will<sup>1</sup> and delyverit thair burges tickettis in maner efter-specifeit . . . in name of the haill candlemakeris of this burgh aeknowledgit thair manie oversichts committit be theme against the counsall and thairfore submitted not onlie theme selfis to the counsallis will to be punished in thair bodyes and guides conforme to the actes of parliament maid anent deykiris and unlawfull conveying of craftis and farder as it sould pleis the counsale bot also submitted thair haill priviledges and liberties which they or thair predecessores hes purchased of the counsall with their seill of caus confirmationn thairof be his Ma. and all that hes followit or may follow thair-upone in the counsallis will humblie intreating the counsall to ressaive theme in favour with theme againe and quhatsomevir they will be pleased to determine anent theme of thair alledgit liberties obleissid theme selfis to obey the same renunceand thair foresaids giftis for ever and all uther bot quhat

Act agains  
Candlemakers.

<sup>1</sup> See Appendix v. for causes of this proceeding of the Council, not recorded in the town's acts. Their seal of cause was granted in 1317 (*Extracts*, vol. i., p. 170).

the counsall salbe pleased to graunt to theme and in token of thair obedience produced thair said seill of caus and confirmatioun thair of with thair buiges tickettis to be cancellat and distroyit with the whiche desyre the counsale being advysed and being more willing that all abusis and grundis quhairupone the samin hes rissin sould be taikin away and that guid ordour nicht be keiped in tyme coming rather then ane bodilie punischement sould be inflected upone the saids supplicantis persones hes with thair awin consent dischairged and be thir presentis dischairges the saids persones or anie uther candlemakeris heirefter of annie convocatioun or meitting amangs theme selffis for cheissing of ane deykin or bulking of prentesis or anie uther caus quahatsomevir in all tyme heirefter and dischairges the said seill of caus and all that hes followit or may follow thairupone to be void and null and declaires the said craft to be frie to the haill burgesis of this burgh and restores the saids supplicants to thair burgesships and friedome of ane burges notwithstanding they have justlie demerite to be depyvit thair of and dispensis with all uther punischement of thair persones and als delyverit thair burges tickettis unto thame againe lyikas the saids persounes compeirand consentit heirto and for theme renuncit and dischairged thair said seill of caus and confirmatioun thair of and obleissit theme to carye theme selffis honestlie and civillie in thair callingis conforme to the lawis and statuttis of this burgh in all tyme coming.

4th June 1628.

[Johnne Maknacht and Thomas Weir are elected commissioners to the general convention of Burghs to be held at Perth on 1st July following. They are elected also commissioners for the particular convention to be held on 12th June.]<sup>1</sup>

Testimoniall  
anent the  
Levingstoun.

Grantis testimoniall to Alane Levingstoun testifieing the ellevin cast peice of iron ordinance callit sacres with thair cariadges and tuentie four barrell poudre bocht be him in Londoun in September last ar brocht home to this cuntrey in Maij last for the use of the cuntrey. . . .<sup>2</sup>

5th June 1628.

Submissioun  
anent the  
teyndis.

[The council and extraordinary deacons] haiveing hard and red the submissioun sent down be M<sup>r</sup> Johnne Hay thair commissioner obleissing theme to graunt to ilk heretour of the landis quhair of the tythes does appertein to theme efter the expyring of the takkis alreadye granted sutch richtes and securities for injoying of thair teinds and for payment of sutch rates and teind rentall bolles of victuall as his Ma. sould pleis to determine with sindrie uther clausis contenit thairin and the counsall being advysit thairwith agries thairto

<sup>1</sup> *Rec. Conv. R. Burghs*, vol. iii., pp. 257-74. There was also another particular convention on 8th July, apparently not noted in the Council Minntes till afterwards. See p. 47.

<sup>2</sup> Appendix viii., anent the fortification of Leith shows that the Council had hoped to obtain artillery as a gift from the King.

and ordanis the Proveist, baillies, dayne of gild and thesaurer to subscriyve the same and ordanis the double thairof to be insert in thair counsall, buikes. . . .<sup>1</sup>

Forsuameikle as the counsall haiveing for theme selffes for advancement of his Ma. royal designes so far tending to the publiet guid of this realme subscriyvit ane submissioun in the mater of the teinds and understanding that his Ma. expected na les of the whole remanent borrowis; thairfore ordanis letters to be direct to the hail borrowis with all diligence requyring theme to send thair commissioneris sufficientlie instructed in the said mater. . . .<sup>2</sup>

Missive  
burrowis  
teyndis.

9th July 1628.

[A gratuity of 300 merks is to be paid to each of the ministers.]

14th July 1628.

The . . . Proveist producit ane letter frome his Ma. direct to the Proveist baillies and counsall . . . anent his repairing to this burgh of the dait the fyft of Julij instant quhairof the tennour followis: Trustie and weilbelovit we greit yow weill wheras we intend verye schortlie (God willing) to visit that our ancient and native Kingdome for receiving oure Crown, holding a parliament in persone and perfyting that great work wherin we and our commissioneris have much lauboured for the guid of all oure subjects thair and we being confident of your hairtilie acceptance of oure persone, and princelie intentiones, as yow and your prediessors had wont to doe unto oure royall progenitors oure pleasoure thairfore is to give yow notice of oure said resolution, whairby yow may the better provyid for oure entrie Coronatioun and parliament, as yow and your prediessors had wount to doe, quhairof we will tak speciall notice and remember the same at anye of your occasiounes heirefter: And so we bid yow hairtilie fairweill. Givin at oure court at Quhyt-hall the fyft day of Julij 1628. Quhairwith they being advysit and finding it ane mater of importance they ordaine to seik out the registers against Wednesday nixt anent the entrie of his Ma. father and grandmother and present the same to the counsall that sutch ordour may be taiken as is most fitt for the honour of the guid toun and his Ma. service.<sup>3</sup>

Kings letter  
for his coming  
doun to resave  
the Crown.

The ansueris to the patents grantit to the duik of Lennox anent the admiraltie to the Erle of Seafort anent the erectioun of the burgh of Stornway, and the Erle of Lynlithgow anent the powder they approve the same and

Burgh  
Stornway.

<sup>1</sup>Two pages were left blank for the insertion of the text of the submission. This is recorded in A.P.S. v. p. 194. See also Appendix i., Nos. 6, 7, 8, 11, giving Hay's negotiations at Court on the subject.

<sup>2</sup>See act of 18th April 1627 (p. 23), showing that the burghs had been summoned already to discuss the matter, and Appendix i. 8. See also *Rec. Coun. R. Burghs*, iii. pp. 248-9, 266-8.

<sup>3</sup>The royal visit was postponed till 1633.

ordanis the same to be givin in to the lordis of counsall and exchequer and appointes . . . commissioners to give the same in . . . to the saids lordis.<sup>1</sup>

16th July 1628.

[The treasurer has paid to the agent of the burghs their share of the general expenses as follows: 632 li., 10 s., as their share of 2,200 li. borrowed for Mr Alexander Guthrie and John Cowan's journey to London; 69 li. sterling as their share of 200 li. sterling; 49 li., as their share of 117 li., 12 s. 6 d. spent in the burgh's affairs; 241 li., 10 s. as their share of £840 borrowed for Guthrie's expenses; 76 li. as their share of 261 li., 16 s. 6 d., due to the late Mr Robert Wynrham; their share of 30 li. given to Alex. Makcartnay, being 8 li., 12 s. 6 d.; the Town's share of the clerk and agent's fees, 57 li., 10 s.; a term's interest allowed to the treasurer, 56 li., 15 s.; the expenses of the commissioners to the Convention at Perth, 333 li., 8 s. 4 d.]

17th July 1628.

Anent his  
Maties resait.

[The council and several merchants] haiffing consideratioun of his Ma. letter and how necessar it is that the Magistrattis of this burgh with uther ald Magistrattis be in comelic and decent ordour for ressaiving his Ma. ordanis that the Proveist, baillies, gild and thesaurer with the auld baillies, Proveist, gild and thesaurer to the number of tuentie four be apparrellit in reid scarlett gownis at his Ma. entrie and that thair names be set down be the counsall and ordanis the Proveist, baillies, dein of gild, thesaurer, Johnne Byres, Patrik Eleis, Peter Blaikburne, Alexander Clerk, Mungo Makecall, James Cochran, Archibald Tod, Nicoll Uduard, merchands, Thomas Weir, penderer, James Leslie, taelyeour, and Andro Scott, chirurgian, to sett down the baill project and forme of his Ma. ressaite and quhat salbe doone to him at his entrie with all the pageants and uther thinges necessarie for his Royal intertaynement and appointes to meit at sevin houres in the morning and at tna houres in the efternoone.

18th July 1628.

[A Particular Convention of Burghs is summoned for 6th August anent their affairs in Parliament.]<sup>2</sup>

22nd July 1628.

Counsall  
wairned to the  
Parliament.

Compeirit Robert Elder, messinger, and productit ane precept of our Soverayne lordis chancellerie for warning theme to send commissioners to the Parliament to be haldin within this burgh upon the fyftein of September nixt.<sup>3</sup>

<sup>1</sup> See Appendix vii. as to the Admiralty and mention of difficulties in Appendix viii. and i. 15. The erection of Stornoway into a free burgh came frequently before the burghs. See *Rec. Conv. R. Burghs*, iii. 257-62, 265, 275-6, 279, 281, 291-4, 300, 303-4, 308-9, 318-9, 323, 325, and Appendix i. 7, 8, 9, 11. The patent to the Earl of Linlithgow anent making of gunpowder in *Rec. Conv. R. Burghs*, iii. 28.

<sup>2</sup> *Ibid.*, pp. 277-8. It met one day later.

<sup>3</sup> *A.P.S.* v. p. 3. The parliament met and was prorogued till 15th April 1629. No business was transacted.



23rd July 1628.

[The council and extraordinary deacons] being conveynit in counsall for deliberatting anent his Ma. entrie and maner thairof ordanis the same to be doone in the maist magnificent manner that can be devysit and as salbe sett doone be the Proveist . . . and utheris to be be theme deputed and forsua-meikle as the same with the propyne to be givin and Banquett to be maid to his Ma. Nobilitie and followeris and utheris expensis incident to his royal receptioun will extend to gritt soumes of money quhilk the commoun guid of this burgh is not able to beare Thairfore ordanis the same to be taiken off the nichtbouris of this burgh be extent and becaus the said extent can not be presentlie sett nor yitt be knawin quhat soumes ar to be debursed or quhat the expensis will extend to ordanis the thesaurer to deburse sutch soumes of money as salbe thocht fitting and ar to be expendit thairupone and to that effect ordanis moneyis to be borrowit upone proffeit for defraying of the said chairges and quhatsumevir is to be expendit theranent and for releiff of the said soumes so to be borrowit ordanis ane extent to be set upone the neigh-bouris of this burgh for releiff and repayment of quhatsumevir soumes of money salbe expendit or imployit be the thesaurer to that effect conforme to the compt to be givin in be the thesaurer theranent and annuelrents of the same and that be sutch proportiones and pairts as salbe sett doone be the Proveist, baillies, counsall and deacones of craftis of this burgh and salbe fittest alsweill for releiff of the saids soumes of the commoun guid as for the ease of the nichtboures.

Preparatioun  
for the Kings  
comeing down.

Forsuameikle as the borrowis be thair commissioneris convenit . . . upon the aucht day of Julij instant gave powar . . . to the burgh of Edinburgh to doe all thinges fitt for the guid of thair busines against the patent grauntit to the Erle of Seafort for erectioun of the burgh of Stornoway in ane frie burgh . . . and that it wer fitt his Ma. wer informit of thair proceedingis thairfore hes thocht fitt to direct ane commissioner to his Ma. to that effect and to that end electis . . . M<sup>r</sup> Johnne Hay. . . <sup>1</sup>

Hay  
commissiouner  
burrowes.

[Mr John Hay is appointed also to deal with all Town affairs according to instructions to be given to him.]

Ordanis M<sup>r</sup> Johnne Hay to mak the speich or harrand to his Ma. at his entrie at the West Port quhen the samin salbe and ordanis Maister Alexander Guthrie and Maister Johnne Hay to be clothed in gownis of figuret velvott.

Hay  
speich  
King.

25th July 1628.

Ordanis proclamatioun to be maid dischairging all wearing of plaids within this burgh under the payne of taking thair plaids and tarring of the same.

<sup>1</sup> See note to 14th July 1628 (page 46). Unfortunately there are no letters from Hay preserved after 2nd June 1628.

26th July 1628.

Kings  
Paill.

Ordanis ane pale to be maid to be caried above his Ma. heid and to be caryed be the four baillies, deyne of gild and thesaurer.

Sword bearer  
apparrell.

Ordanis the sword bearer to be apperrillit in the same forme that umquhill Robert Stewart, maisser, was.<sup>1</sup>

30th July 1628.

[John Maknacht and Thomas Weir are appointed commissioners to the Particular Convention on 6th August.]

8th August 1628.

Letter to Hay  
commissioner.

Ordanis ane letter to be direct to Maister Johnne Hay . . . for acquainting of him with quhat hes proceedit anent the signature of the pouder<sup>2</sup> and to desyre him to acquaint his Ma. with the just caus of the oppositioun as lyik-ways to acquaint him with the justice courts that ar to be haldin through this cuntrey be circuittis<sup>3</sup> conforme to the commissioun givin theme theranent be the lordis of his Ma. privie counsall conforme to the signature and commissioun grantit thairupone be his Ma. and to desyre him to supplicat his Ma. in behalf of the whole borrowis for eximing theme frome under the compas of the said commissioun. . . .

19th September 1628.

King's letter  
for Seafort  
commissioner  
Guthrie.

Forsameikle as the commissioneris of borrowis haiveing elected M<sup>r</sup> Johnne Hay, commissioner for theme to his Ma. in sindrie of thair effaires and in speciall in the mater of the burgh of Stornway and the said M<sup>r</sup> Johnne haiving brocht hither ane letter to the Erle of Seafort frome his Ma. in the said mater and the counsalle being informit that the work thair does proceed in the plantatioun of strangers. Thairfore ordanis M<sup>r</sup> Alexander Guthrie to pas to the north and delyver or caus deliver the said letter and to trye the said Erle his proceedings and to report his diligence heiranent to the counsall at his returne and ordanis the thesaurer to pay his chairges.<sup>4</sup>

1st October 1628.

[Water bailie, Patrick Eleis ; bailies of Leith, Patrick Eleis and James Murray.]

<sup>1</sup> *Extracts, 1604-1625*, p. 157.

<sup>2</sup> See p. 46, note 1.

<sup>3</sup> See Appendix xii., the clause indicating how unnecessary, in the opinion of the Town Council, were justice ayres, chamberlain and steward courts and other jurisdictions conflicting with their own. See also *P.C.R.*, vol. iv. p. 12, noting that the holding of circuit courts was prohibited for a year.

<sup>4</sup> See p. 46, note 1.

[The acts anent hours of meeting, fines for absence and wearing of gowns are renewed.]

#### Election of Kirk Council.

Council for the year 1628-29 : *Provost*, David Aikinheid of Kilquhis ; *Bailies*, John Sinclare, Archibald Tod, Edward Ferquhare, Alexander Heriot ; *Dean of Gild*, John Maknacht ; *Treasurer*, David Makcall ; *Conneil*, John Byires, Alexander Speir, George Suittie, Thomas Chairterous, Gilbert Williamsoun, Peter Blaikburne, James Rae, Alexander Menteith, John Nairne, Charles Hamiltoun, Laurence Cokburne, surgeon, John Ormestoun, hammerman ; *Deacons*, Andrew Scott, surgeon, Adam Lamb, goldsmith, James Tnedie, skinner, John Hunter, tailor, William Adair, cordiner ; *Extraordinary Deacons*, David Murray, furrier, Thomas Broun, hammerman, Thomas Stennop, baker, Nicoll Henrysoun, flesher, George Sincler, wright, William Wallace, mason, Alexander Cochran, weaver, John Crystie, waulker, Alexander Sommer, bonnetmaker.]

#### 3rd October 1628.

[Baillie in charge of council affairs, John Sinclare ; bailie of the markets, Archibald Tod ; bailie for Leith affairs, Edward Ferquhare ; court bailie, Alexander Heriot.]

The extenters are ordered to extent the neighbours for the last term of the tax granted to the King in the last Convention of Estates and for relief of the common good in the sum of 26,000 merks.]

#### 8th October 1628.

Ordanis the Proveist, baillies, dayne of gild, thesaurer, with the ald Proveist, baillies, dayne of gild, thesaurer, to have thair scarlett gowns maid and to putt theme on upone the first Sunday of Januarij nixt.

Counsall  
gownis.

#### 15th October 1628.

[Price of tallow, 44 s. the stone ; price of candles, 52 s. the stone.]

#### 16th October 1628.

Finds expedient that cautioun be fundin in the lawborrowis raised and execut at the instance of Gilbert Kirkwood against the Proveist, baillies, dayne of gild and thesaurer and utheris contenit in the letters raisit against theme and nominattis James Banuatyn or James Nicolsoun or ather of theme or baith give neid beis to be cautioners for the haill persounes complenit upone for the souns thairin contenit and the Proveist, baillies, counsall and deykins of craftis obleisis theme selffis and thair successouris in thair offices to releive thair saids cautioners and the haill counsall thinkis expedient that thair servands and workemen proceid in thair said worke notwithstanding the chairge of the lawborrowis.

Souerty  
lawborrowis  
Kirkwood  
contrer good  
toun.

17th October 1628.

[Proclamation is made for the riding of the marches on Hallowe'en.]

Proclamatioun  
against the  
belmen.

Forsuameikle as it is complenit upone be the inhabitants of this burgh that the belmen of the samin exactes gritter pryces for them selfes and thair servandis nor is alreadie injoynit to theme for thair service at burialles conforme to the act of counsall daittit the 29 of August 1623 yeires <sup>1</sup> quhairby they are ordanit to have of ilk man and woman that beis buryed in the commoun buriall haiffing ane kist the soume of fourtie shillings and of ilk bairne and servand tuentie shillingis and that in contentatioun of all fies and dewties that can be craived be theme for thair service and als that the saids belmen refuisis to carye young bairnis of four yeires of aige quhairby the neighboures ar drawin to unnecessarie chairges. Quhairfore ordanis proclamatioun to be maid be sound of drum dischairging the saids belmen and thair servands fra exactioun of anie farder dewties nor the pryces abone mentionat and that they refuis not to carye neighbouris bairnes of four yeires of aige under the payne of depriviatioun and if any neighboures findis theme selfes dampnifiet and interest that they complene to the baillie of the quarter that ordour may be tane theranent.

24th October 1628.

Statut  
belman  
Leith.

Forsuameikle as it is complenit upone be the nichtboures of Leith the exorbitant pryces exacted be Archibald Layng, belman of Leith, of the inhabitants thair for his fies and dewties of buriallis; thairfore statuttis . . . that in all tyme cuming the said Archibald and his successouris in his said office sall have onlie in compleitt payment of all fies he can have or craive tuentie shillingis of ilk man or woman that is able to pay and ten shillingis for ilk bairne and servand, the poore being alwayes frie and ordanis the baillies of Leith to mak proclamatioun through Leith to that effect under the payne of depriviatioun of the said Archibald Lainge.

[Masters of Trinity Hospital, John Spens and Patrick Douglas, both re-appointed.]

7th November 1628.

Act Forret  
minister at  
Campheir.

Forsuameikle as M<sup>r</sup> Johnne Forret, minister at Campheir, hes now of long tyme being detained heir within this burgh be tempestuous weather sua that he is driven to extraordinarie chairges and thairfore they haiving consideration of the necessitie of his repair to his chairge with all expeditioun hes thoct fitt that letters be direct in name of the haill borrowis be M<sup>r</sup> Alexander Guthrie thair clerk to the collector of the ministers dewtyes thair to pay to him the soume of threttie pundis fleymis out of the reddiest moneyis

<sup>1</sup> *Extracts, 1604-1626, p. 244.*



in his hands and that by and attour the said soume of fourtie pundis fleymis allowit to him of before and the same salbe allowit to him in his comptes. . . .<sup>1</sup>

14th November 1628.

[Price of ale, double, 16 d. the pint ; single, 8 d. the pint ; double beer, 20 d. and single beer, 10 d. the pint. The 12 d. loaf of bread is to weigh 15 oz.

A particular convention of Burghs is summoned for 8th January 1629, to discuss the erection of Stornoway and to hear Mr John Hay's report anent the fishing.<sup>2</sup>

John Belsches of Tofts, advocate, and one of the burgh assessors, is to be made burgess and gild brother.]

21st November 1628.

[A committee of twenty-two is appointed to make preparations for the King's coming.

3rd December 1628.

[The council order the rules of the college to be registered in their books, that they may have the validity of an act.]<sup>3</sup>

10th December 1628.

[The stent rolls, presented by the extenter, show the sum of 17,344 li. 16 s. 8 d.]

19th December 1628.

[The council and extraordinary deacons] grantis unto the toun of Peebles to be payit at the beginning of the worke for reparatioun of the bridges of Auchindonye and Bellisdail the soume of ane hundreth pundis.<sup>4</sup>

Support  
bridges  
Auchindone  
Bellisdail.

Ordanis the deyne of gild with the Proveist, baillies, thesaurer and ane pairt of the gild counsall to mak the Erle of Monteith, Sir Archibald Achesoun secretarie, M<sup>r</sup> Alexander Gibsoun of Durye, clerk of the Sessioun, the Laird of Londye, Archibald Campbell and Maister Gilbert Prymrois, clerk of the Privie Counsall, and anye uthers the lord of Monteiths kynsmen for quhome he sall request burgesis and gildbrether of this burgh and to mak ane banquet to thame. . . .<sup>5</sup>

Earle of  
Monteth  
Achesoun, etc.,  
burgess  
gildbrether.

<sup>1</sup> Mr John Forret was appointed minister at Campvere in July 1628, a year after the resignation of Mr George Sydserff, the preceding minister. He was allowed 800 gulden as stipend (*Rec. Conv. R. Burghs*, iii. pp. 272-3, 274).

<sup>2</sup> *Ibid.*, pp. 279-80. See p. 46 and note.

<sup>3</sup> See Appendix vi.

<sup>4</sup> This is not noted in the Extracts from the Records of Peebles.

<sup>5</sup> The Earl of Monteith may have been of assistance to Mr John Hay at Court, for his name appears once or twice in Hay's letters (Appendix i.). Sir Archibald Acheson of Glencairn was conjunct Secretary with Sir William Alexander, later Earl of Stirling, appointed in 1626. He owned the mansion in the Canongate to the east of the Hammermen's property.

*24th December 1628.*

[John Maknacht and Lanrence Cokburne are appointed commissioners to the Convention on 8th January.]<sup>1</sup>

*26th December 1628.*

[Alexander Broun is appointed kirk treasurer.

A committee of five persons including the common clerk, the principal of the college and two ministers, is appointed anent the High School.]

*2nd January 1629.*

[A committee is appointed to meet the commissioners of the burghs anent Seaforth, the admiralty and the gunpowder patent.]<sup>2</sup>

*7th January 1629.*

[A committee is appointed for St. Paul's Work, to meet on the first Thursday of each month.]

*23rd January 1629.*

Collectionis  
St. Paul's  
worke.

Compeirit Williame Reid, merchant, and delyverit to David Makcall thesaurer, the soume of fourscore pundis four pennyes collectit be him frome Michaelmes 1627 to Michaelmes last frome the new maid burgesis to the use of Sanct Paul's worke. . . .

*28th January 1629.*

[The accounts of the Masters of the Hospital show a balance due to the Hospital of 3,220 li. 3 s. 3 d.]

Lagacie  
Jossie  
chairge  
maisters  
hospitall.

Forsuameikle as the saids maisters of the hospital hes also ressavit frome Williame Dick in name of Maister Robert Johnnestoun, executour to umquhill Johnne Jowssie in Londoun, the soume of ane thousand merkis left in lagacie be the said umquhill Johnne to the said hospitall. Thairfore ordanis theme to be chairgit therwith in thair comptes.

fermes tak  
Coatfield.

Agries with the fermorers and takismen of the landis acquyrit frome Coatfield to the use of the hospitall for sevin pundis sex shillingis eicht pennyes the boll. . . .

*4th February 1629.*

[The accounts of the collector of kirk rents for the year ending May 1628 show a balance due to the Town of 689 li. 10 s. 6 d.]

<sup>1</sup> See 14th November (p. 52 *supra*).

<sup>2</sup> See pp. 45, 46, 47 *supra*.

His accounts as factor of Currie for the year 1627 show a balance due to the Town of 357 li. 12 s. 4 d. For the year 1628 a balance is due of 620 li. 10 s. 8 d., which includes the former sum.

The accounts of the dean of gild for the second year of his office show a balance due to him of 163 li. 16 s. 8 d.]

18th February 1629.

Forsuameikle as conforme to the acts of counsall of the daittes the 25 of September and 12 of October 1627 George Keadye, post, James Squeir, taelyeour, Bartilmo Gryntoun, staibler, William Dalrumpill, taelyeour, Andro Makeairtnay, taelyeour, and Andro Lindesay, cordiner, wer employed in his Ma. service under the Erle of Mortoun, and that thair wes promittit to thame at thair returne to mak thame burgesis at this burgh and that they have dischaired thair dewtye therin Thairfore they ordayne the dayne of gild and his counsall to admitt and ressaive theme to be burgesis of this burgh for implement of the saids actis and ordains thair burgesschip to be extendit to thair childrein.<sup>1</sup>

Admissioun  
... burgesis.

21st February 1629.

Dischaarges Williame Richardsoun, maissoun, to exerceise the maissoun craft within Leyth in na tyme to cum.

Ressavis M<sup>r</sup> James Fischear to be ane ordiner vulgar scoolemaister within this burgh during the counsallis will.

Compeired David Makcall, thesaurer, and confest he hes ressavit frome James Rae, late thesaurer, tua silver stoupes with caices <sup>2</sup>, ane faire gilt coupe with ane cover and caice<sup>3</sup>, ane eramesie velvott cuscheoun in ane poik sex auld hanseinyies, ane quhyte taffitie anseinyie, ane lang pinsell, tua taffitie bayners for trumpeters with silk stringes, tua velvott coattes for lakayes with silver laice with the Castle of Edinburgh embroudered, sextein officer coattes barred with tua barris of blak velvott, ane velvott footemantell with the haille fur-neissing and ane band of Maister Robert Balcanquellis concernung ane thousand merkis dew to the guid toun. . . .<sup>4</sup>

Insignia  
Edinburgena.

25th February 1629.

Forsuameikle as the thesaurer at command of the counsall hes payit to Johne Burdoun for his chairges to Londoun ten pundis sterling as also advancit to him thriescoir pundis striveling for furneissing of the Kingis Banquett quhilkis is to be repayit to the thesaurer in maner contenit in the articles and contract maid betwixt the said Johne and the said thesaurer and ordanis the same to be allowit to him in his comptes.

<sup>1</sup> See p. 35 *supra*, 12th October 1627.

<sup>2</sup> See *Extracts, 1604-1626*, p. 181. These cups were a present from the Bishop of Lincoln.

<sup>3</sup> See p. 43 *supra*.

<sup>4</sup> *Ibid.*, pp. 192, 236. The money had been left by the late Mr Walter Balcanquell, sometime minister in the town, as a legacy to the College, for the support of a professor of divinity.

[John Maknacht and Andro Scott are appointed commissioners to the particular Convention of Burghs summoned for 2nd March].<sup>1</sup>

*4th March 1629.*

Tak teyndis  
Sacristane  
landis.

Agries to set in tak . . . to Sir George Forrester of Corstorphing, Knight . . . all and hail the teinds grit and small personage and viccaradge of all and hail the landis callit the sacristane landis lyand within the parochin of Currie . . . for . . . nyntein yeires following his entrie quhilk wes at Lambes 1624 yeires for payment of fourtie shillingis yeirlic. . . .

Expensis  
Adamsons  
Guthrie  
Hathrindaill  
Stirling.

Ordanis David Makcall, thesaurer to pay the chairges and expensis of M<sup>r</sup> Johnne Adamesoun, principall and Maister Alexander Guthrie thair clerk, and Maister Williame Drummond of Hatherdene, in thair jurney to Striveling being doone at the counsallis command to visite M<sup>r</sup> David Drummond his librarie. . . .

Yair  
chaplaine  
St. Ninian's  
altar.

Forsuameikle as the chaipplanarie foundit be umquhill Andro Moubray at Sanct Ninians altar within the colledge Kirk of Sanct Jeill upone the south pairt thair of besyd S<sup>t</sup> Laurence altar is vacand and hes bein sua this yeir bygaine and above since the deceis of umquhill M<sup>r</sup> Johnne Dawling, last chaipplane thair of, and that thair is nane presentit be the aires of the said umquhill Andro since the deceis of the said last chaipplane and sua the samin is now at oure dispositioun and presentatioun conforme to the fundatioun of the same maid be the said umquhill Andro; thairfore witt ye us to haif presentit lyik as we be thir presentis nominattis electes and presents Johnne Yair to be chaipplane of the said Sanct Ninian's altar . . . during all the dayis of his lyiff, and presentis him to the said chaipplanarie and to all landis, tenements, deutytes, superiorities and casualties thairto appertening . . . als frielic as anye chaipplane bruikit or injoyit or nicht have bruikit or injoyit in anie tyme bygaine. . . .

*11th March 1629.*

Noome  
glover  
burgess.

Forsuameikle as George Home, gluiffer, is laitlie chosen enseinyie berar<sup>2</sup> for the youthis of the craftis and he being prenteis to Adame Hepburne, skynner, and hes served him for the spaice of fyve yeires and uther tua yeires for meitt and fie, the counsall dispensis with his thrid yeires service for divers causis and consideratiouns mooving theme and ordains the deyne of gild to ressaive him burgess for payment of the ordiner dewes he proving the premis. . . .

*3rd April 1629.*

[Intimation is received of the General Convention to be held at Culros on the first Tuesday in July.]<sup>3</sup>

<sup>1</sup> *Rec. Conv. R. Burghs*, vol. iii., pp. 280-1. It dealt with the matter of Stornoway.

<sup>2</sup> He was elected on 6th March 1629.

<sup>3</sup> *Ibid.*, pp. 282-99. A particular Convention was appointed at that time to meet in Edinburgh on 14th July. This does not appear in the Council Minutes.



6th May 1629.

Appointes M<sup>r</sup> Alexander Guthrie thair commissioner to compeir befoire the sub commissioun in Dalkeith upone Thursday nixt in the valuatioun of the teyndis of Soutray and to doe therin for the valuatioun of the same to the best availl.

Guthrie  
commissioner  
valuation of  
teyndis.

8th May 1629.

Appoyntis induring the counsallis will Johnne Yair, collectour of thair kirk rentis, factor of the kirk of Currie and jadger generall deputt through all Scotland, vacand be deceis of unquhill Johnne Nisbett, last titular of the same.

13th May 1629.

Presents Laurence Cokburne, chirurgian, to the vacand plaice of the ordiner chirurgian to the poore of this burgh, vacand be deceis of unquhill James Henrysoun, chirurgian, and ordanis the baillies to present him to the sessionis.<sup>1</sup>

Cokburne  
ordiner  
chirurgian.

15th May 1629.

[The weaponshowing is to be held on 10th June.

Alexander Monteith is appointed commissioner to appear before the sub-commission in Linlithgow for the valuation of the vicarage of the Kirk of Livingstone.]

22nd May 1629.

Forsuameikle as Archibald Tod being watter baillie for the tyme being commandit be the counsall to preserve the liberties of the guid Toun at thair port and herbarie of Leith against the violent intrusioun of the Erle of Linlithgow now present admirall, for mantening the same was called in questioun before the lordis of his Ma. secreit counsall and the said business put to ane small decisioun and that now the said Erle of Linlithgow as thai ar informed hes procured ane letter frome his Ma. to the lordis of secreit counsall for censuring of the said Archibald in his bodye and guides; thairfore the counsall acknawledging that what wes doone be the said Archibald wes at thair command and direction and for the preservatioun of thair liberties they obleis theme and thair successoures to frie, releive and skaithless keip the said Archibald of all coast skaith and damage he may incure thairthrough ather in bodye or guides or otherwayes quahatsomevir.<sup>2</sup>

Ard. Tod  
Earle  
Linlithgow  
liberties  
Leith.

Forsuameikle as Johnne Cleyne in Weik in Kaithnes, unfrieman, is fund to have traffique with straingers contrare to the lawis of this realme, thairfore they ordayne him to pay ane unlaw of tuentie pundis. . . .

Unlaw  
Cleyne.

<sup>1</sup> See 23rd February 1627 (p. 23 *supra*).

<sup>2</sup> See Appendix vii.

*29th May 1629.*

[John Sinclare and Andrew Scott are appointed commissioners to the General Convention at Culros.]

*3rd June 1629.*

[John Byires and James Tuedye are appointed to appear before the sub-commission for the valuation of the teinds of Currie.]

*17th June 1629.*

[Mr Harry Rollock is to be transferred from the N.E. to the S.W. parish.]

*26th June 1629.*

[Archibald Tod, John Byires, Laurence Cokburne and Mr John Hay are appointed to meet Lord Wemyss for valuation of the teinds of Wemyss.]

*3rd July 1629.*

[A tack is granted to John, Lord Wemyss, of the vicarage teinds of Wester Wemyss for four years for payment of 100 li. a year.

They agree to the valuation of the stock and teinds of Wester Wemyss in so far as they belong to the Town at 40 chalders of victual, whereof 24 chalders of bear and 16 of meal and the value of the vicarage teinds at 100 li.

The treasurer having borrowed 7,000 merks from Trinity Hospital, a bond for that amount is to be given to the masters.]

*8th July 1629.*

[James Aikinheid, servant of David Aikinheid, provost, is made burgess gratis.]

*10th July 1629.*

[For good services done to the Town the principal of the college is to receive 100 merks.

The sum of 2,400 merks is to be divided between the eight ministers in name of gratuity.]

*17th July 1629.*

[A committee is appointed to arrange the affairs to be entrusted to their commissioner to Court.

Andrew Logane, elder, of Coatfield, and Robert Logane are made burgesses and gildbrethren.

The masters of the Hospital are to pay to Andrew Logane, younger, of Coatfield, as a gratuity for his consent to his father's disposition of the lands sold to the Hospital, the sum of 200 merks.]

24th July 1629.

The Proveist, baillies and counsall and Sir Williame Nisbett of the Deane knight, finding the necessitie of the plantatioun of the professioun of divinitie in the colledge now vacand this yeir bygaive be deceis of umquhill M<sup>r</sup> Hendrie Chairterous . . . and of the qualificatioun and literature of Maister James Fairlie, minister in Leith, hes elected . . . the said M<sup>r</sup> James Fairlie to be professor of divinitie in thair colledge callit King James Colledge during the counsallis will . . . and Johnne Byres protested that he micht be reputed absent inrespect he wald not voite in this electioun.<sup>1</sup>

Electioun  
Fairlie  
professour  
divinitie.

29th July 1629.

[Mr James Fairlie accepted office as professor of divinity.]

31st July 1629.

[The accounts of payments to the Convention of Burghs are recorded.

The treasurer repaid 9,836 li. 3 s., with interest, due to James Rae, late treasurer, and 8,000 merks, with interest, due to John Maknacht, dean of gild.]

Nominattis M<sup>r</sup> Johnne Hay commissioner for theme to pas to his Maiestie in the mater betwixt the counsall and certain inhabitants in Leith and in all uther maters concerning the guid Toun conforme to the instructiouns to be givin to him. . . .

5th August 1629.

[The council and extraordinary deacons] agries to the valuatioun of stock and teind of the lands of Eister Weyms pertaining to my lord Colvein in sua far as the teinds pertains to the guid Toun to be tuentie aucht ehalder victuall quhairof tua pairt beir and ane pairt meill and the vicaradge to be yeirle worth in constant rent ane hundreth and fyftie pundis.

Valuatioun  
stock and  
teynd Eister  
Weymis.

Forsurnameikle as M<sup>r</sup> Johnne Hay is . . . employed to pas to Court as commissioner in the particular effaires of the guid Toun . . . as als . . . as commissioner for the publiet effaires of the whole borrowis and thair to negotiat the same for the publiet guid ;<sup>2</sup> thairfore they bind and obleis theme selfies and thair successouris to content and pay to him quhatsumevir sounes of money he sall deburse or expend in thair effaires and leist he be destitute of

Precept  
thesaurer  
Hay  
exchange.

<sup>1</sup> John Byres had sided with the party who had desired the election of Mr Robert Monteith, a graduate of the College, who had taught philosophy at Saumur. Monteith was suspected of Arminianism and, by the influence of three of the town ministers and of the principal and regents of the College, was rejected. The story is told at length in *Crawford*, pp. 114-5, and *Bower*, vol. i. pp. 170-4. Charteris had held the post since 20th April 1627 (p. 24 *supra*).

<sup>2</sup> *Rec. Conv. R. Burghs*, iii. pp. 300-3. There is no word of payment in these entries, but in the particular Convention, held in September of the same year, an act notes that Hay's expenses amounted to 5,000 merks. For payment of this sum the burghs were to be taxed (*Ibid.* p. 304).

moneyis . . . ordanis him to borrow upone proffeit such soumes as he hes to doe with to be expendit in the publict effairs and draw the samyn be letter of exchange upone the thesaurer of this burgh . . . and ordanis the said M<sup>r</sup> Johnne to pretermitt no occasioun and to use all possible meanes for effectuating of the saids effaires and his comptes to be ressavit upone his owne declaratioun ather be word or writt. . . .

12th August 1629.

Baillie  
burgess  
gild.

Ordanis the deyne of gild and his counsall to admitt and ressaive doctor James Baillie of Brodhirst servitor to ane noble and potent Marqueis James Marqueis of Hamiltoun to be burgess and gildbrother of this burgh *in communi forma*, and the spyce and wyne to be givin him therewith be the baillies. . . .

21st August 1629.

Bald  
actit.

Compeirit Patrik Bald, merchant, and being demandit if the haill guides laydnit in the schip callit the Sanct Marye of Deip quherof Nicolas Lokke is maister pertenit to anye uther merchand nor to himself he affirmit that the same onlie pertenit to himself and acted himselff to produce his letters that is to be sent to him theranent that inspectioun may be had therof and if it be tryed utherwayes he actes him selff of his awin consent to pay to the thesaurer of this burgh . . . the soume of ane hundreth pundis. . . .

26th August 1629.

[John Sinclare and Andrew Scott are appointed commissioners to the Particular Convention on 8th September.]<sup>1</sup>

28th August 1629.

Fairlie  
professour.

Ordanis M<sup>r</sup> Alexander Guthrie to pas to the Archiebishope of Sanct Androes with M<sup>r</sup> James Fairlie, laitlie elected professour of divinitie . . . for procuring his dimission frome his present chairge in Leith. . . .

9th September 1629.

[The Town's drill masters, Captain Grahame and James Achesoun are dismissed.]

Commissioun  
Hay  
good toun.

Forsuameikle as the Proveist, baillies and counsall being summoned at the instance of the Constable as lyikwayes understanding that thair ar divers and sindrie maters daylie does occur concerning the libertics of this burgh ; thairfore they have thocht guid to give commissioun to M<sup>r</sup> Johnne Hay, present commissioner for theme to his Ma., in the said maters and in all uther thinges

<sup>1</sup> *Rec. Conv. R. Burghs*, vol. iii., pp. 303-5.



concerning the guid Toun and liberties thair of . . . to deale with his Ma. anent the said mater and all nther thinges concerning or that may concerne the guid Toun and thair liberties and with all persones that may have interest thairin with powar to him to agrie with theme and generallie all and sindrie thinges to doe anent the premisis as he sall think best for the weill of the guid toun . . . .<sup>1</sup>

Ordanis the deyne of gild and his counsall to admitt . . . M<sup>r</sup> Patrik Hendersoun, reider at the grit Kirk, burges and gildbrother . . . for payment of the accustomit deuty, and ordanis the said dein of gild to repay the same. . . .

Hendersoun  
B. gild.

29th September 1629.

Quheras the counsell being informit that thair ar sindrie persounes and nichtboures chaired *super inquirendis* to compeir before the justice in thair circuit courts qubairby they ar licklie to be greivouslie hurt and prejudgit thairfore ordanis ane letter to be direct to M<sup>r</sup> Johnne Hay desyryng him to petition his Ma. in thair name and in name and behalff of the haill remanent borrowis of this realme that his Ma. wald be pleased to graunt unto theme ane discharge of the said penal statuttis and lyickwayes to desyre his Ma. to wryte to the Frensch King anent the priviledge of the Natioun in Fraunce querof as they ar informed they ar interrupted and ordanis ane to be sent up post with all diligence. . . .<sup>2</sup>

Justice Court  
priviledge  
Fraunce.

7th October 1629.

[Water bailie, Thomas Charteres ; baron bailies of Leith, Thomas Charteres and William Wilkie.

Bailie in charge of council affairs, James Cochrane ; markets, William Reid ; Leith affairs, Andrew Ainslie ; courts, Edward Edyear.

Council for the year 1629-30 : *Provost*, David Aikinheid ; *Bailies*, James Cochrane, William Reid, Andrew Ainslie, Edward Edyear ; *Dean of gild*, Joseph Marjoriebankis ; *Treasurer*, David Makcall ; *Council*, Alexander Clerk, John Sinclare, Archibald Tod, Edward Ferquhare, Alexander Heriot, Johnne Maknacht, Patrik Eleis, Peter Blaikburne, William Makmath, James Loch, John Kniblo, Johu Davidsoun, Thomas Pattersoun ; *Deacons*, John Hunter, tailor, Laurence Cokburne, surgeon, James Guthrie, skinner, Alexander Reid, goldsmith, William Clerksoun, hammerman, William Adair, cordiner ; *Extraordinary Deacons*, Thomas Weir, furrier, John Frank, wright, Thomas Paterson, mason, Thomas Stenhops, baker, Robert Skirling, flesher, George Hill, weaver, John Waues, waulker, John Bicked, bonnetmaker.]

<sup>1</sup> See Appendix iv. as to the Lord High Constable.

<sup>2</sup> The matter of the justice courts was taken up in 1633 in the instructions given to Mr Alex. Guthrie, envoy to Court (Appendix xii.). The matter of the Scots trade in France hung fire till later, complicated by the relations between France and England. See *P.C.R.* iv. 45, when an examination of privileges was ordered.

9th October 1629.

Ample  
commissioun  
Hay  
Court.

Forsuameikle as the Proveist, baillies and counsall haiffing upone the last of Julij last elected M<sup>r</sup> Johnne Hay, commissioner for theme to his Ma.<sup>1</sup> in the mater betuixt the guid toun and certan inhabitants of the toun of Leith and in all uther maters concerning theme : Lyikas also upon the 23 of September last the saids Proveist, baillies and counsall directed ane commissioun to the said M<sup>r</sup> Johnne to deale with his Ma. in the mater betuixt the constabell and the guid Toun as lyikwayes gaive him commissioun to deale with his Ma. and all uther persoures neidfull in all thinges concerning the guid toun and liberties thair of or that may concerne theme ; With the which commissiouns the present counsall being acquainted and finding the necessitie of tyme and doubtful event of maters they ordayne the said M<sup>r</sup> Johnne to prosecut the said maters and all uther thinges that may concerne the guid toun the best way he can for the weill thair of and grantis and gives unto him such ample powar and commissioun in all thinges concerning theme as they nicht doe theme selfes and for theme and thair successouris ratifies and approves the foresaid tua commissiouns in all the heids and articles thair of . . . and ordanis ane letter to be direct to him heiranent. . . .

14th October 1629.

[Price of tallow, 44 s. the stone ; price of candles, 52 s. the stone and 3 s. 4 d. the pound.]

Watsoun  
poore.

Admittis and ressavis Jonett Watsoun, relict of umquhill Laurence Ferquhare to be ane of the poore of the hospitall, and ordanis the masters to plaice hir therin.

16th October 1629.

[Proclamation of the riding of the marches.

Price of ale, double, 14 d. the pint, single 7 d. ; price of beer, double, 18 d., single, 9 d. : price of bread, 14 oz. loaf at 12 d.]

23rd October 1629.

Letter Hay  
Kirk Counsell.

Ordanis ane letter to be direct to Mr Johnne Hay schewing the ressaith of his letters anent the Kirk counsell and to desyre him to insist for prevening of these courts in tyme cuming as lyikwayes to signifie to him the chairges givin to our nichtboures of horning and passing upone assyses.

[Masters of Trinity Hospital, Alexander Monteith and Thomas Weir.]

<sup>1</sup> The quarrel between Leith and Edinburgh, due perennially to trading difficulties, was, at this time, complicated by the questions of the fortification of Leith and the Council's consequent ambitions, the matter of "girnelling" there and the dispute with the Lord High Admiral over his rights. See Appendices vii., viii., x., xiv. It is probable that the dispute was about girnelling. See pp. 72 and 86, *infra*.

Forsuameikle as divers inconvenientes of sudden fyres does often tymes arise in defalt of the nichtboures in nott souping of thair chymnays which proceids of the negligence of the induellers whairby the nichtboures are not onlie affrechted bot also the haill Toun exposed to dainger; thairfore it is statute and ordanit that all the induellers of this burgh sall caus sueip and mak cleyne the haill chymnays of thair housses occupyet be theme tuse in the yeir with certificatioun that such chymnays that sall be fund other be visitatioun of such as the counsall sall appoint not to haiff bein maid cleyne in maner foresaid or that in default therof fyre sall tak hold therupone the induellers of such housses sall incur ane unlaw of fyve pundis toties quoties unforgivin and be farder punished in thair persounes at the will of the Magistrattis and ordanis this act to be intimat . . . be oppin proclamatioun and sound of drum.

For  
sweeping of  
chimneyis.

*30th October 1629.*

Ordanis ane ansuer to be maid and returnit to Mr Johnne Hay anent the particulars conteynit in his letter daittit the 21 of October instant by advyis of the Magistrattis.

Ordanis the thesaurer to pay to M<sup>r</sup> Robeins Inglishman for his bypast paines and chairges anent the watter wark intendit to be brocht in be him to this burgh. . . .<sup>1</sup>

Robins  
Inglishman

*4th November 1629.*

[James Philp, factor, is charged to appear before the sub-commission on the valuation of their teinds of Pife and show the agreement made with Lord Colville.]

*6th November 1629.*

Forsuameikle as M<sup>r</sup> Johnne Kempt haiveing brocht in to Leith certan barrellis of salmond to haive bein transported and the same being jadedg be the generall jadger and Fraunces Wilkie his depute and thair being the number of ellevin of the saids barrellis fund insufficient and ansuerable to the jadge for the quhilk the said M<sup>r</sup> Johnne being convened confessed the unsufficiencie of the saids barrellis. Thairfore the counsall unlawis him in the soume of tuentie merkis. . . .

Unlaw  
Kempt  
jadger.

*18th November 1629.*

Forsuameikle as M<sup>r</sup> James Fairlie professor in divinitie is enterit to his functioun in the said colledge; thairfore the counsall appointes ane meitting

Dyett  
professor  
divinitie.

<sup>1</sup> This matter seems to have gone no further. An act of Parliament in 1621 had provided for the introduction of a water supply to Edinburgh, of which this act of Council may have been the consequence, but it was not till 1672 that the Town Council took action, entrusting their work to the Dutchman, Bruschi.

to be in the said colledge upone Monenday nixt for prescryving the forme to be observit be him in his said professioun and ordanis the ministrie to be wairned to keip the said dyet.<sup>1</sup>

*20th November 1629.*

[A gratuity of 66 li. 13 s. 4 d. is granted to the minister at Wemyss.]

Broun  
unlawit.

Jacob Broun, skipper of the guid schip callit the Mercurius of Midleburgh, being convenit for lossing of his schip before he maid any entrie to the guid Toun confest the same ; thairfore the counsall unlawis him in the soume of fourtie pundis and ordanis him to pas to waird quhill the same be payit. . . .

Barnis  
actit Beiff.

Forsuameikle as James Barnis being convenit for derthing of the flesch mercatt and buyeing beiff and pakking of the same to be transported furth of this cuntrey contrare to the lawis of this realme, compeirit the said James and acknawledgit his falt and submitted him selfi in the counsallis will. Thairfore the counsall ordanis the said James to sell the same in the mercatt and not to transport the same furth of the cuntrey nor no pairt thairof under the payne of ane hundreth pundis . . . and the counsall continewis thair farder censure till they be farder advysit.

*2nd December 1629.*

[The late Mr Walter Balcanquell, formerly minister in the Town <sup>2</sup> having left 1,000 merks toward the support of a professor of divinity, his son Mr Robert, minister at Tranent, gave bond for payment of the said sum on 30th August 1622. The money being now paid over to the council, they grant a discharge to Mr Robert Balcanquell and order the treasurer to apply the yearly interest thereof towards the salary of the professor.]

*9th December 1629.*

[Laurence Cokburne resigned his post of surgeon to the poor of the burgh and John Davidsoun is appouinted in his place.]

*23rd December 1629.*

Help  
Letheme Moss.

Ordanis the thesaurer to give to Robert Johnnestoun and these whose landis wes overflowed be the Letheme Moss the soume of ane hundreth pundis. . . .<sup>3</sup>

*1st January 1630.*

[The sum of 7,000 merks is repaid to the Trinity Hospital.]

<sup>1</sup> See p. 57, 24th July 1629.

<sup>2</sup> See p. 53, 21st February 1629 and note.

<sup>3</sup> *P.C.R.*, vol. iv. pp. 14-15. The Privy Council gave instructions anent the disposal of contributions for help and commissioners to see to provision for draining the moss and preventing further injury to the cultivated land.



12th January 1630.

[A particular Convention of Burghs is summoned for 21st January on the matter of Stornoway] and improoving of the fisching of this Kingdome and undertaking thair of and for dealling with his Ma. theranent and concluding of the same conforme to the second act of the last particular conventioun haldin at this burgh and threttie act of the last generall conventioun and to heir Maister Johnne Hay his report in the maters intrusted to him if he salhappin to cum home and siclyk for satling of the Kirk of Campheir if they sall think it expedient. . . .<sup>1</sup>

Missive  
burrows  
Stornway  
Seyfort.

13th January 1630.

[John Sinclair and Laurence Cokburne are appointed commissioners to the above Convention.]

Forsuameikle as the counsall hes upone the aucht of this instant admitted and ressavit David Ramsay ane of the gentlemen of his Ma. privie chalmer, Williame Douglas of Kevers, schireff of Tiffiedaill, Sir Johnne Murray of Ravilrig, and Capitan Archibald Douglas to be burgessis and gildbrether . . . ordanis the deyne of gild to caus insert and registrat thair names in the gild lockit buik. . . .<sup>2</sup>

Admissioun  
Ramsay  
Douglas  
Murray  
B. gild.

The counsall finding it meitt and expedient that in thair generall musters and shewes of this burgh that thair be ane expert dreill maister for putting the nichtboures in order as lyikwayis for dreilling of the inhabitants incaice of warris or appeirance thair of (as God forbid) and the counsall understanding of the qualificatioun of James Achesoun who hes caryed him self verie deuti-fullie in his employment in that kynd of service ; thairfore they have appointed . . . the said James to be dreillmaister for sevin yeires to cum and langer during the counsallis will provyding alwayes the said James sall be him self dreill and trayne up the whole nichtboures in militarie discipline . . . and sall nocht divert nor absent him self furth of this burgh at no tyme without licence of the counsall. . . . For the quhilk the Proveist, baillies and counsall grantis unto the said James ane yeirlie pensioun of tua hundreth pundis. . . .<sup>3</sup>

Election  
Achesoun  
dreillmaster.

[James Denniestoun, servant of Lord Ramsay is received burgess and gild brother gratis at request of David Ramsay.]

22nd January 1630.

Appointes commissioners to meitt with the commissioners of the admiraltie . . . to treat with theme anent the priviledges of the admiraltie and to report.<sup>4</sup>

Treattie  
priviledge  
admiraltie.

<sup>1</sup> *Rec. Conv.* iii., *R. Burghs*, pp. 305-9.

<sup>2</sup> No reason is given, either in the Minutes or the *Burgess Roll*, for their admission.

<sup>3</sup> See previous appointments, pp. 41, 58.

<sup>4</sup> See Appendix vii.

27th January 1630.

Affairs  
Leith  
treattie.

Appointes to meitt anent the effaires of Leith and uthers to be treatted att court James Cocherane, Alexander Clerk, Johnne Maknacht, Johnne Sinclare, Archibald Tod, Laurence Cokburne, James Guthrie and Alexander Reid.<sup>1</sup>

28th January 1630.

Offeris  
good toun  
King's Ma.

[The council and extraordinary deacons] Maister Johnne Hay thair commissioner haiveing presentit and producit before theme the offers underwritin maid be him in thair name to his Maiestie . . . they ordaine the same to be insert and registrat in thair bookes of counsall. . . .<sup>2</sup> Offeris maid to his Ma. anent the chairtour grauntit to the guid Toun of Edinburgh anno 1603. Forsuameikle as his Ma. is informit that thair is conteynit in the said chairtour manye strainge clausis quhilk ar not competent to ane subject and manie landis annexed to the crown convoyed therby frome the crown, the guid Toun to approve thair loyaltie to his Ma. without preiudice alwayes of the auld richtes, chairtouris, infestments, decreittis, liberties and priviledges therin ratifiet, grantit to that guid toun formerlie be his Ma. predeicessours before the daitt of the said chairtour and als without preiudice of the schireffschip and coronarschip therin contenit within the bounds mair particularlie specifiet and designit in the offer maid be the guid Toun to the noblemen and gentlemen of West Lawthian and als libertie of sole trade of merchandise appertening to ane frie royall burgh within the whole bounds of West Lawthian as the samin is designit in the said chairtour, without preiudice also to his Ma. to erect burghis ather of regality or barronie in anye uther pairt of West Lawthian without the bounds of thair said schireffschip and crownarschip towns and landis appertening to the guid toun in propertie or superioritie and als of the customes pittie customes schoir sylver and uther deutes, liberties and priviledges mentionat in the said chairtour and upone the provisiones underwritin; hes in all humilitie maid voluntar offer to his Ma, to renunce in favouris of his Ma. all richt of regaltie disponit to theme in the said chairtour giff anye be therin contenit and als the richt that the guid Toun hes therby to escheittes of criminall persounes convict before theme to death and als of the escheittes of all thair inhabitants denuncit to the horne for civil causis or any uther strainge libertie if any be therin contenit quhilk is not competent to ane subject nor is nott nor hes nott bein formerlie grauntit to schireff crownar or frie burgh and als to renunce all richt they have to the north or south castle bankis<sup>3</sup> be vertew thair of without preiudice alwayes of anye former lawfull richt quhilk the guid Toun or anye of thair burgesis hes

<sup>1</sup> See *supra*, 9th October 1629, p. 60.

<sup>2</sup> The following offers are interesting as showing what the Council acknowledged as being excessive powers in the Golden Charter and particularly because the earlier charter was, at a later period, made a basis for various claims by the town.

<sup>3</sup> This was the subject of repeated litigation in the 18th and 19th century. See *Castle and Town*, pp. 35-36, 38-45.

to the samin and without innovatioun of the use of the south bank conforme as hes bein accustomed in all preceiding tymes past memorie of man with provisioun alwayes and with humble and tender sute to his Maiestie that since that guid toun is the cheiff and heid burgh of that Kingdome and that the same wes erected, beautified and adorned with sindrie liberties, priviledges and immunities be his Ma. father of most happie memorie and that it hes pleased his royall Maiestie out of his gracious favour to assure that guid toun that he wald protect theme in thair liberties and priviledges and wald not be wanting to theme in expressing all testimonies of his royall favour as occasioun sould offer as the sword sent be his Ma. to theme to be usit be theme for his Ma. and in defence of thair liberties does sufficientlie witnes, and that the guid toun hes evir since his Ma entrie to the croun approvin theme selffes to be his Ma. trew and loyall subjectes, consideratioun also being had of the taxt payed be theme being neir the thrid pairt of the taxt payed be the whole borrowis, of the burdeins they undergoe in all publict services quhilk tend ather to the honor of his Ma. Croun or that his ancient Kingdome and that the same is doone be the frie contributioun of thair loving citizens thair common guid being so meane as it is not abill to support thair ordiner chairge. It micht pleas his Ma. to ratifie the said chairtour in the remanent heids, articles and clauses thair of, and in speciall thair haill auld infeftments thairin contenit, the frie libertie of sole trade, within the bounds of West Lawthian appertening to ane frie burgh royal, the schirreffschip and crownarschip within the bounds designit as is abovementioned, customes pittie customes and uthier deuty es thairin exprest quhair of the guid Toun is in possessioun and of the remanent liberties, priviledges and uthers thairin contenit conforme to the tennor thair of in all pointes and that the same be doone in such ane legall forme as salbe fittest for securing both his Ma. and the guid Toun. . . .

[The council ratify the document and give power to the provost and magistrates to ratify the same before the Privy Council.]

*12th February 1630.*

[Mr William Spang in St. Andrews is to be minister at Campvere.]<sup>1</sup>

*19th February 1630.*

[Leets are made for a new deacon of the cordiners in place of William Adair, deceased. The old deacon, Thomas Peacock is to convene the craft and make the election.

Peter Blaikburne is elected counsellor in place of Patrick Eleis, deceased.

Mr Archibald Newtoun is elected doctor in the High School in place of Mr William Spang, now minister of Campvere.]

<sup>1</sup> *Rec. Conv. R. Burghs*, iii. pp. 305-8, gives the contract with Mr William Spang at length. His stipend was fixed at 800 gulden. He had been for five years one of the doctors in the High School.

Visitouris  
St. Paul's  
warke.

Electes Alexander Speir, George Suittie, Johnne Rynd and Stephan Boyd to be wardens and visitours of all stufes and cloathes maid within Sanct Pauls Worke for this yeir to cum. . . .<sup>1</sup>

20th February 1630.

Electionn Hay  
commissioner  
court  
Stornway.

[The council, extraordinary deacons and sixty-eight neighbours being assembled and the provost and council having explained] the preiudice both the realme borrowis and this burgh is lyik to incur throwghe the erectioun of the burgh of Stornway in ane frie burgh as plantatioun of Dutchemen thair intendit be the Erle of Seaforth. they all in ane voice declarit that they wer sensible of the same and thairfore that they wer willing to undergoe the said plantatioun and deburse quhatsunevir chairges and expensis sould be debursit be the Proveist, baillies, counsall and deykins of crafts of this burgh for recalling of the signature grauntit to the Erle of Seaforth theranent and obteneing the richt thairof in favouris of the borrowis and thairfore intreated the counsall that they sould not spaire ather paines or chairges to effectuat the same quhairunto they promittit to contribute ilk man for his awin pairt as salbe imposit upone theme be the counsall and thairfore the . . . counsall . . . hes ordaynit ane commissioner to be elected for thair pairt to the same effect . . . and chosen M<sup>r</sup> Johnne Hay thair clerk, thair commissioner to pas to court. . . .<sup>2</sup>

Offer  
commissioner  
King's Ma.  
anent the  
priviledges and  
liberties of the  
guid toun.

M<sup>r</sup> Johnne Hay . . . haiveing presentit and productit before theme the offer maid be him in thair name to his Ma. anent the chairtour grauntit be his Ma. father of happie memorie to the guid Toun of Edinburgh anno 1603 and the saids Proveist, baillies, counsall and deykins of craftis haiveing red and considerit the same they ordayne the same to be iusert and registrat in thair buikes of counsall. . . . Quhairof the tennor follows :<sup>3</sup> Albeit thair be nather land, libertie, priviledge or any uther thing thairin conteynit quhilk is not ather contenit in thair auld infetments and decreittes givin in thair favoures or uther former graunts maid unto theme quhairof the guid toun is and was in possessioun or the lyik thairof grauntit to uther burghis or privat subjectis and is injoyit be theme yit to remove all questiones and for intertayning of thair mutual amitie and respect quhilk was evir betwixt the noblemen and gentlemen of West Lawthian and that guid Toun the Proveist, baillies and counsall of Edinburgh sall condiscend to restrict the schirreffschip and crownarschip and jurisdiction thairof with the holding of thair gild courts to the bounds following, viz., the burgh of Edinburgh commoun mylnis, commoun

<sup>1</sup> This is the first indication that the manufactory at Paul's work was in a state to produce everything.

<sup>2</sup> *Rec. Conv. R. B.* iii. p. 308, Mr John Hay, on 27th January or thereabouts, returned from London with the King's command to the Lords of Exchequer to delay the passing of the Earl of Seaforth's signature. Hay was despatched to court again by order of the particular convention to lay the matter again before the King. The Convention also instructed Edinburgh to pay out all monies judged necessary. See Appendix I. 13.

<sup>3</sup> See pp. 64-5 *supra* and note.



mure, commoun myre, loches, wallis and foussies of the same, townes of Leith and Newheavin, portis, herbaries, closettis, schoires, raids, lynkis eister and wester of the same landis callit the commoun closettis, burs, holff, hallis and uther landis thair propertie belonging to the guid Toun, gaittes, rods, streittes, calsayes and passages leidand to and frome the said burgh frome and to Leith and Newheavin respective, and the calsayes, gaittes and passages leidand through thair commoun mure and myre and quhilk ar biggit and repayrit be the guid Toun sua far as the said mure and myre extendis and thair gaittes and calsayes leidand to and fra thair commoun mylnes upone the Watter of Leith sua far as the saids mylnes extends and mylne landis and dammes properlie belonging to the guid Toun thair and to restrict the custome of the laide of aile to the pryce accustomed to be payit before the graunting of the said chairtour and sall agrie and consent that the noblemen and gentlemen sall injoy thair landis and possessionnes and liberties contenit in thair infeftmentes as they did formerlie before the graunting of the same notwithstanding anything contenit in the said chairtour or anye subsequent graunt maid in favoures of the guid Toun in prejudice thair of, without prejudice alwayes and derogatiounn to any chairtour, libertie or priviledge graunted to the guid Toun ather be infeftments, decreittes or uthers graunted or conceived in thair favouris preceeding the said chairtour anno 1603 or actes of parliament conceived in thair or royall borrowis favour and executioun of the same conforme to the tennour thair of, and farder they ratifie and approve the same in the haille articles and clausses therof conforme to the tennour thair of and als gives powar and commissioun to the Proveist, baillies, deyne of gild, thesaurer or anye ane of theme to compeir in thair names before the lordis of his Ma. secret counsell or the lordis commissioneris appointed be his Ma. for that effect and in thair names *de novo* to ratifie and approve the same conforme to the tennour thair of in all poynts. . . .

*24th February 1630.*

[The council and extraordinary deacons] haiveing consideratioun that the custome of victuall and coalles at thair portis conteynit in thair chairtour anno 1603 at the request of the noblemen and gentlemen of West Lawthian and for utheris consideratiounes mooving theme hes thocht fitt to dischairge the custome of the coalles and to restrict the custome of the laid and burdein of victuall to tua pennyes without preiudice alwayis of the remanent customes contenit in the said chairtour.

*26th February 1630.*

[The council and extraordinary deacons receive James Broun, new deacon of the cordiners. He is elected as a deacon of council.]

Act  
commission  
Election  
Session of  
Leith.

Compeirit M<sup>r</sup> Johnne Hay and producit ane act of the hie commissioun anent the election of the session of Leith<sup>1</sup> and ordour thair of in all tyme cuming under the subscriptioun of M<sup>r</sup> Williame Hay, clerk of the said commissioun of the dait the 27 of Januarij 1630. Quhilk the counsall ordanis to be insert and registrat in the buikes of counsall of this burgh . . . quhair of the tennour followis : At Edinburgh the twentie sevint day of Januar 1630 yeires Johnne, Archiebischope of Sanct Androes [ ] bischope of Dunkell, Johnne bischope of Murray [ ] bischope of Ylles, Laird of Rosling, Sir Jerome Lindesay, ane of the commissers of Edinburgh, M<sup>r</sup> Williame Strutheris, M<sup>r</sup> Thomas Sydserff and M<sup>r</sup> Johnne Maxwell, ministers of Edinburgh, Maister Walter Quhytfuird persone of Moffett, lordis of his Ma. hie commissioun. The quhilk day the said richt reverend father in God, Johnne Archiebischope of S<sup>t</sup> Androes, M<sup>r</sup> Williame Strutheris, M<sup>r</sup> Thomas Sydserff, M<sup>r</sup> Johnne Maxwell, appointed be the said hie commissioun to meit with the inhabitantis of Leith in the session house of the Kirk therof upone Sunday, the 17 day of Januar instant, efter the ending of the efternone sermone to tak ordour for satling ane session amongst theme producit in presens of the said hie commissioun the articles underwrittin agriet and condiscendit upone be theme and the saids inhabitants at the said meitting of the quhilk articles the tennor followis : At Leith, the nyntein day of Januar i<sup>m</sup> vj<sup>c</sup> threttie yeires : The quhilk day the richt reverend father in God Johnne, by the mercie of God, Archiebischope of Sanctandroes, Maister Williame Strutheris, M<sup>r</sup> Thomas Sydserff and M<sup>r</sup> Johnne Maxwell, ministers of Edinburgh, nominated be the Lordis of the Hie Commissioun to concur with the said reverend father to the effect underwrittin being convenit with Sir Jerome Lindesay, Lyoun King of Armes, George Smaillum, James Liddell, M<sup>r</sup> Johnne Elphingstoun, James Home and Alexander Hamiltoun, induellers in Leith, haiffing commissioun frome the remanent elders and deykins of the session of the Kirk and with Thomas Charteres and Williame Wilkie, baillies and magistrattis in Leith, efter dew consideratioun taiken of his Ma. letter directed to the said reverend father for ordering the Kirk Session in Leith efter ane more convenient sort did condiscend and agrie all in one voice upone the articles following : FIRST that the session of the Kirk of Leith sould heirefter consist of tuentie ane persones besyids the tua baillies, viz. , nyne elders and nyne deykins within the toun of Leith, one elder and one deykin within the toun of Restalrig, and one elder in Craigend, and to that effect for the yeir ensewing they did presentlie nominat for everie quarter of the toun the persounes following : They ar to say for the saids quarters George Smaillum and Alexander Hamiltoun, elders, William Purves and Johnne Gray, deykins ; for the quarter Gilbert Weddell and Isaac Johnnestoun, elders, George Heigh and Robert New, deacons ; for the Kirkgait

<sup>1</sup> The Records of the Session of South Leith went back so far as 1588. The earliest book preserved begins in 1597. In the *South Leith Records* (First Series), p. 18, under date 19th January 1630 is the following entry :—" My Lord Sanctandreis and thrie of the ministers of Edr. being all present convened for the caus abone writtene for chussing the session have concludit that the number of session salbe 21. . . . "

James Liddell and David Robertsoun, elders, Hendrie Crystie, and Mathow Mitchell, deacones; for the Lyes Sir Jerome Lindesay, James Lyoun and George Thomesoun, elders, Peter Schaw, Neill Campble and James Smyth, deykens, for Restalrig Lodovick Foulter, elder, and Johnne Ros, deacone; and for Craigend Johnne Young, elder, which persounes they ordaine to be proponit and thair names publisht to the congregatioun of Leith on Thursday nixt, the tuentie ane of this instant, that libertie may be givin to object against theme or any ane of theme<sup>1</sup> which objectionnes ar ordaynit to be notified to the said reverend father betuixt and Sunday nixt to the end the saids persounes may be solemlie ressavit to the office the said day efter sermone according as the custome hes been in caice thair be no lawful exceptioun taiken of any of theme: Secondlie—It is ordaynit that according to the custome observed throughout the whole churches of the Kingdome the baillies present and to cum have thair dew and first plaice of advyse and giving vote in all materis that salbe treatted in the said session: Thridlie, that the meittings of the sessionis sall be keiped at the tymes and in the plaice accustomed haiving alwayis with theme thair ministers and the magistrattis that beir office for the tyme or at leist ane of the ministers and magistrattis if the uther may not be present by occasioun: Fourthlie, that the said session sall in thair meittings treat onlie of maters ecclesiastick and such thinges as appertenis to the churche discipline and government therof according to the actes maid and subseryvit be the generall churche: Fyftlie, that everie yeir in the beginning of the moneth of Januar ane new electioun salbe maid of elders and deykens to bear chairge in the churche for the yeir following for the releiff of thair nichtboures wha have served the yeir before which electioun salbe maid be the ministers, baillies and session for the tyme without anie uther meitting or convocatioun of nichtboures and that nane be lytted nor chosen that did beare office in the yeir preceeding: Sextlie, that if any of the sessioners be absent and bissied in thair lawfull effaires by sea or land the remanent session that remayne at home sall proceid with these that ar present and none be naymit to supplie the absence of ane other as suntyme the custome hes bein, provyding alwayis that if any be taiken away be death the saids ministers, magistrattis and session may chuse some uther to supplie the rounne of the defunct quhilk persoun salbe nominatted and elected out of these who had best vottes in the first electioun and sall give thair aith within the session hous without more adoe: Finallie, it is ordaynit for eschewing of all disordours that may heirefter arryse by any change or novatioun that the said session sall not upone any precept mak anie meittings or convocatiounes then ar apointed to be at the ordiner tyme and in the plaice apointed except sum urgent occasioun seyne and allowit be the ministers and magistrattis require the same. And that both the session presentlie to be appointed and who heirefter salhappin to be elected sall conforme theme selfis concerning thair nomber and the effaires to be intreated to the articles above writtin in everie point and claus therof and that the samin

<sup>1</sup> *South Leith Records (ut supra)*, p. 18.

articles salbe registrat in the buikes of the hie commissioun and in the sessioun buik of the Kirk of Leith. This wes doone day and yeir foresaid according to ane letter directed to the Archiebischepe of Sanctandroes for redressing sume disordours that wer in the said sessioun and to prevent the lyik in tyme cuming in taikin quhairof the said Archiebischepe and ministers haif subseruyit these presentis with thair handis. . . . Quhilkes articles above writtin being red advysed and considderit be the saids lordis of the hie commissioun and they therwith weill and ryplie advysit all in one voice ratifies and approves the foresaids articles and decernis the samyn at lenth as is above writtin to be insert and registrat amongst the actes of the hie commissioun to have the strenth of ane decreit of the same in all tyme cuming and thair autoritie to be interponed thairto efter the forme and tennour therof as is above mentionat. [Extracts of the above act are also delivered to the bailies of Leith and to the presbytery.]

Tack to George, Viscount Dupplin, Lord Hay of Kinfauns, High Chancellor of Scotland, of the teind sheaves of the churches of Dumbarne, Pottie and Moncreiff, to replace the tack granted to William, Earl of Mortoun, disponed by him to the Chancellor, which cannot be found.

Mr Thomas Crawford, regent of humanity in the College, is appointed Master of the High School in place of the late Mr John Rae.]<sup>1</sup>

### 3rd March 1630.

[Commissioners are chosen for the election of a new regent of humanity.

A committee is appointed to set down instructions for Mr John Hay.

Instructions to Mr Thomas Crawford, new master of the High School:]

Injunctions  
Maister  
gramer school.

Item he sall be ansuerabill for the dischaarge of his owne and his doctouris dewtye in the said scoole in teaching of the bairnis and exerceising of discipline

Item that he sall follow the ordour of the scoole as the samyn is sett down be the counsall or as the same salbe set down, eiked or reformat be theme.

Item that he sall impute no doctouris bot such as salbe presented be the counsall notwithstanding quherof he sall haive powar upone misdemanour to depryve any of the saids [doctours] he sall alwayes thairefter notifieing the same to the counsall and the just reasones quhy the same is doone.

Item quhen anie of the saids doctouris plaices sall vaik he sall immediatlie thereafter signifie the same to the counsall.

Item he sall teache the haill lessounes of the scoole himself in the morning and lyikwayes in the efternoone examine theme himself.

<sup>1</sup> He had succeeded Mr Samuel Rutherford in the professorship of humanity, elected in March 1626 (*Extracts, 1604-1626*, p. 303). See also Crawford's *History of the University*, pp. 116-7. Rae had been for eight years the regent of humanity in the College and for twenty-three years master of the High School (*Ibid.*).



Item he sall diligentlie attend upone the scollaris frome sex in the morning till nyne and from ten to tuelff and frome half hour to tua in the efternone till sex in the evening.

Item the counsall appointes for the said maister his fiall and stipend the soume of tua hundreth merkis to be payed be the thesaurer quarterlie beginning the first termes payment at [ ] nixtocum. And farder for his better maintenance and sustentatioun of the doctouris they ordaine him to ressaive in name of the quarter payment of ilk Tounes bairne the soume of tuentie shillingis in the quarter quhairof tuelff shillingis to be payed to the said maister and aucht shillingis to the doctour.

Item the said Maister Thomas sall advance the said scoole and colledge to the uttermost of his powar.

[The treasurer is to provide Mr John Hay with his expenses and other needful sums, according to the directions of those appointed to give him his instructions.]

*5th March 1630.*

Ressavis David Phorbous, Dutche scoolemaister for teaching the Dutch language within this burgh.<sup>1</sup>

Forbous  
Dutche school  
maister.

*12th March 1630.*

Ordanis the deyne of gild and his counsall to ressave Johnne Johnnestoun, writer, burges and gild brother. . . .

Johnnestoun  
burgess gild.

Grantis the first plaice of regencie of philosophie in the colledge of this burgh to M<sup>r</sup> Alexander Hepburne student.<sup>2</sup>

Hepburne first  
regent.

Ressavis M<sup>r</sup> David Bischop to be ane of the doctors in the hie scoole in the plaice quhilk salbe fund fittest be the maister . . . wha compeirand accepted . . . and obleist him selff not to remove till he give laifull advertiseiment ane quarter of ane yeir before to the counsall.

Bischop doctor  
hie school.

*17th March 1630*

Electes for plantatioun of the vacand plaice of humanitie in the colledge . . . M<sup>r</sup> Johnne Airmour chosen to the said plaice be conunoun voice of the lordis advocattis and wrytters and commissioners of the guid Toun. . . .<sup>3</sup>

Airmour  
regent  
humanitie.

<sup>1</sup> The first appointment of the kind recorded.

<sup>2</sup> *Crawford*, pp. 100-3 and 119. The promised place fell vacant in 1631, when Mr William King became minister of Cramond. The vacancy apparently had been promised upon the request of the Earl of Airth.

<sup>3</sup> *Crawford* states that he was the son of "an honest burges." This probably was John Armour, merchant, who obtained his freedom as prentice to Robert Gillason or Gillespie, was burges in March 1593-4 and gild brother in May 1601.

31st March 1630.

Testificat  
at Court  
Airmour.

Grantis testificat to Johnne Airmour testiefeing that he hes constitut Marioun Burne, his spous, his procuratrix for craiveing and uplifting certain debtes addebted to him be certain persounes in Ireland. . . .

6th April 1630.

Letter to Hay  
at Court  
Leith bussines.

Forsuameikle as the Proveist and baillies being chairged at the command of the lordis of Secreitt Counsall be the maissers of counsall not to putt to executioun the decreitt latlie obteynit be the guid Toun against certain thair inhabitants in Leith quhairby the guid Toun is heavilie hurt in thair richtes and liberties and the consequence quhair of may draw no les then the overthrow of the haill toun, thairfore ordains ane letter to be direct to the said M<sup>r</sup> Johnne Hay desyryng him to represent to his Ma. thair greivances and threatned overthrow of the guid Toun if such courses sall haive way and thairfore to supplicat his Ma. to direct ane warrand to the Secreit Counsall to dischaarge the said Act and ordayning the same to be delet outt of thair bookes and to be null and ordaining theme in tyme cuning to abstain frome medling with any of the Toun of Edinburgh thair liberties or richtes or staying of any executioun upone any decreittes givin in be the lordes of Sessioun therupone. . . .<sup>1</sup>

16th April 1630.

Missive  
conservatour  
Campheir.

Ordanis ane missive letter to be direct to the Conservator requyryng him in name of the borrowis to present to his excellence his Ma. letter anent the staiple as lyikwayes to deall with the Magistrattis of the toun of Campheir for accommodating the natioun better then they have doone and for keiping of the contraet past betuixt the borrowis and theme. . . .<sup>2</sup>

21st April 1630.

[The audited accounts of Trinity Hospital show a balance of 1,705 li. 15 s ]

Hairt  
prenteis.

Forsuameikle as it being schewen to the counsall be Johnne Hairt, printer, burges of this burgh, that he was of intentioun to print the bybill of new thairfore the counsall for advancement of the said worke grauntis licence to the said Johnne Hairt to tak ane uther prenteis notwithstanding the tyme of thrie yeires be not past since he ressavd ane prenteis. . . .<sup>3</sup>

<sup>1</sup> See *P.C.R.* iv., xxix-xxx., 600-607, giving the case of the town of Leith, as presented before the Lords of Council.

<sup>2</sup> Davidson & Gray, *The Scottish Staple at Veerc*, pp. 198-200; *Rec. Conv. R. Burghs*, iii. pp. 288-9, 301-2, 314. In this last entry, the report to the General Convention in July 1630, it was stated that, in spite of their efforts "yt they have made bot small advantage of all, to the gritt hurt of the whole tredders in these places."

<sup>3</sup> Son of Andrew Hart, printer, who brought out an addition of the Bible in 1610. After Andrew Hart's death the business was carried on for a time by his widow. Of John Hart, who became burges and gildbrother in the year of the above entry, or of his edition of the Bible, nothing seems to be mentioned in histories of Edinburgh.

*28th April 1630.*

[The names of the following are to be inserted in the gild book : Sir Richard Graham of Esk, Richard Musgrave, esquire, Francis Grahame, gentleman, servant to His Majesty, burgesses and gildbrethren ; Robert Pringle of Stichehell, burgess and gild brother at the request of the Earl of Monteith ; Richard Grahame in Braikinhill and Matthew Richardson in Musbrae, both in Cumberland, burgesses.]<sup>1</sup>

*30th April 1630.*

[The treasurer is to borrow 4,000 merks from the masters of the hospital and give bond for the sum.]

*5th May 1630.*

[Two letters were received from Mr John Hay containing certain articles given to him by the Earl of Seaforth. The provost and bailies are to answer them.]

Ordanis ane letter to be drawin up in favour of M<sup>r</sup> Williame Spang laitielected minister at Campheir, recommending him to the assistance of the conservatour and his deputtes. . . .

Letter of  
recommenda-  
tioun  
Spang.

*7th May 1630.*

Understanding of the grit incres of poore within this burgh thir divers yeires bygane whairby the ordiner contributioun appointed for thair sustentatioun hes not onlie bein whollie exhausted bot the churche thesaurer hes this last yeir bein superexpendit in grit sommes of money which ar yit unpayit, and considering with all that that burdeyne of the poore is nowayes diminisched bot rather through the straitnes of the tyme and present derth is increased, so that the poore through want of sustentatioun ar redacted to ane miserable pinche and pitiefull estait and if that some spedie course be not takin for thair releif many poore ar liklie for want of sustentatioun to perisch ; Thairfore they have thocht guid to have recourse to the cheritable dispositioun of thair nichtboures for this yeir and . . . be thir presents appointes and ordains ane generall contributioun or collectioun to be maid throw the haill quarters and parochins of this burgh for supplieing of both this present yeir and bygane want to be collected and ingathered in maner and be the persounes efter-nominat who sall keip ane register of the said offering. And thairefter they have ordaynit that all such of the northwest parochin whose hairts God sall replenisch with ane christian compassioun towards the indigent and poore brother repayre to the yle in the grit Kirk upone ilk tysday immediatlie efter the sermone whill the said collectioun be endit whair sall be attending the Ministrie of the said parochin with some of the elders and deacones of the same and uther thrie of the nichtboures appointed be the counsall for ressaiveing of thair voluntarie offering. And these of the northeast parochin that they

Contributioun  
poor.

<sup>1</sup> No reasons given for the admission of these persons. The Earl of Monteith, however, seems to have helped the town's envoy at Court.

repair to that pairt of the said grit Kirk quhair the umquhill Erle of Murrayes tomb is situat . . . these of the southeist and southwest to the littell Kirk . . . And the same being so ingatherit be the saids collectouris they sall report the same bak againe to the counsall who sall thairefter give farder ordour and warrand for distributting thair of according as they sall think best for the use of the said poore. . . .

*12th May 1630.*

Visite Kirk  
Currie.

Appointes to visit the Kirk of Currie which is reported to be ruinous be ane number of the parochin therof [a bailie and a deacon].

Daillis St. Paul's  
warke litt hous.

Ordains the thesaurer to give to James and Johnne Nairnis ane hundreth daillis for help to big ane littil hous in Sanct Pauls Wark for litting of thair buckrummes. . . .

Rule,  
schoolmaster.

Ressavis Johne Reull to be ane maister of ane vulgar scoole. . . .

*14th May 1630.*

Visite hous  
Drumsheugh.

Appointes to visit the hous intended to be buildit be Johnne Scott of Drumsheugh upone the eist syid of the hie streit leiding to the commoun myluis [a bailie, the dean of gild, the treasurer and three members of council.]

[The weaponshowing is appointed for 9th June.]

*19th May 1630.*

[The lands of Coatfield having been bought for the use of Trinity Hospital, for which the council was bound to pay 40,000 li. to Mr James Raith of Edmiestoun, according to the contract, dated 10th April 1628, they order the treasurer to borrow 20,000 li. and make payment of the same to Mr James Raith in part payment.]

Valuatioun  
teyndis landis.  
Dumbarne  
Pottie and  
Moncreiff.

Forsameikle as the subcommissioners apointed for valuatioun of the lands lyand within the schirefdome of Perth hes apointed the twentie fyft of this instant for valuing of the landis lyand within the parochin of Dumbarne, Pottie and Moncreiff and in respect that the counsall hes agried with certain of the heritours of the said parochin and hes condiscendit the same be valued personage and vicaradge in maner following, viz.: the landis of Kilmonth pertening to Sir Johnne Moncreiff and M<sup>r</sup> James Nicolsoun equallie betwixt theme by the fisching and fruityairds the said M<sup>r</sup> James his pairt stock and teind be valued to fyve chalder victuall halff meill twentie sevin bollis beir and threttein bollis quheitt, the fisching and fruit yairds to ane hundreth merkis yeirlie. The landis of Kirkpottie with the mylne croftes pertening to Robert Hammiltoun in stock and teind fyve chalder victuall halff in ill halff beir and the vicaradge teind yeirlie four pundis. The haill toun and landis of Kiutulloch with the mylne croft and pendicles estimat to thriescoir merkland, thair of the mylne land to sex merkis land the ane half pertenis to the Laird of Moncreiff and



the uther halff to Matthew Moncreiff is estimat in haill stock and teind to saxtein chalder victuall whairof the ane halff meill and the uther halff tua part beir and the thrid pairt wheit, the viccaradge to fyve pundis vjs. viij d. The toun and landis of Dumbornie whairof the one halff pertenis to my lord Chancellor and is occupyed be Hew Ramsay and Williame Dun ane quarter to Hew Craigye the uther quarter to Robert Cairnye the said pairt pertening to the said lord Chancellor is estimat to thrie chalder victuall quhairof tua pairt meill and thrid pairt beir, the said Hew Craigie and Robert Cairnie thair pairt is estimat to four chalder of victuall stock and teind tua pairt meill and third pairt beir and the viccaradge teyndis thairof lyikwayis to tua merkis: the landis of Pitcaithlie pertening to Laurence Craigie and Laurence Olyphant quhairof ane quarter to Laurence Craigie and the uther thrie pairts to Lowrence Olyphant the said Lawrence Olyphants thrie pairts ar estimat to fyve chalder of victuall thairof, tua pairt meill and thrid pairt beir, and the viccaradge teind thairof to thrie pundis and Lawrence Craigie's pairt to tuentie sevin bolles victuall thairof, tua pairt meill and thrid pairt beir and the viccaradge teind yeirlye to tuentie shillingis. The landis of Heuchfeild pertening to Johnne Bonar and possest be him stock and teynd is estimat to tuelff bolles meill. The maynis of Wester Moncreiff pertening to the laird of Moncreiff and occupyed be him with the cottoun, the landis of the mylne callit the horse mylne with the landis of Craigend and croftis at the bridge with the landis of Kilgirstoun suameikle as pertenis to him in heretage and occupyet be him and his tennents with the Kirk land of Dumbornie occupyet be Hew Ramsay and Williame Dun is estimat stock and teind to saxtein chalder victuall tua pairt meill and thrid pairt beir and the viccaradge teind thairof yeirlye to aucht pundis. That pairt of the landis of Kilgirstoun pertening to Lawrence Craigie is valued to tua chalder victuall stock and teind quhairof tua pairt meill and thrid pairt beir and the viccaradge teind to [ ] yeirlye. The lands of Littilfildie pertening to Sir George Auchinleck of Balmanno and occupyet be Peter Balmanno stock and teind is estimat to ane hundreth merkis yeirlye. Thairfore appointes . . . James Philp, procuratour and speciall factor and earand beirer for theme to pas to the said sub commissioneris and in thair names to condescend upone the valuatoun of the saids landis abonewrittin in maner abonewrittin as lyickwayes if neid beis to leid witnessis for proving of the valuatoun of the saids landis and such uther landis as is not condescendit upone. . . .

21st May 1630.

[The council and extraordinary deacons] forsuameikle as thair being ane rumour of ane conventioun of the estaittes to be schortlie haldin within this Kingdome and the counsall considering that it is expedient that such thinges as may concerne the guid Toun be thoct upone and wyselie pondered and haiving the occasioun of M<sup>r</sup> Johnne Hay his being at Court thairfore gives full powar and commissioun to the proveist [magistrates and four others] to condescend upone such thinges as they sall think may ocure

Conventioun  
of estaitts.

ather before or in the said Conventioun ather in generall or in particular and to wryte to the said M<sup>r</sup> Johnne theranent and to give him advyse and commissioun in the same for dealing with his Ma. theranent and in all uther thinges that may concerne theme which sall cum to his knowledge which the counsall declaires to be als valid as if the same wer doone and exped be theme selfies. . . .<sup>1</sup>

[The council having ordered the treasurer to borrow 20,000 merks by the act of 19th instant, and he having borrowed 10,000 merks from Robert Prestoun of Craigmillar, 6,000 merks from Mr Thomas Aikinheid, commissary of Edinburgh, and 4,000 merks from David Jonkein, merchant, they order bonds to be drawn up for the same.]

*26th May 1630.*

[Mr John Rae, late master of the High School, left 500 merks to the poor of the hospital. The money was made over to the masters.]

*28th May 1630.*

Piece land  
Drumsheugh  
fewit.

[The council and extraordinary deacons] agries to sett in few to Johnne Scott of Drumsheugh that peace waist land lyand upone the eist syid of the calsay leiding to the commoun myhnis of this burgh contening in breid frome the dyik sex elnis and ane halff and in lenth tuentie fyve elnis and ane halff as the hous laitlie begun be the said Johnne presentlie standis togither also with that peace waist land lyand besouth the south gavill of the said hous and contening frome the southwest angell of the said hous alongs the calsay luiking frome the southwest of the said waist to the calsay fyve elnis and ane halff and frome thence eistward to the north dyik lyand from the north syid of the gaitt called the lang gaitt for tuentie schillingis of few deutye yeirlie . . . and doubling the few deutye at the entrie of everie aire. . . .

*2nd June 1630.*

Thanksgiving  
and Bonfyres  
Prince birth.

Understanding perfytelie of the happie and joyfull birth of oure houpfull prince <sup>2</sup> the sone of our most gracious soverayne for the which all trew hairted subjectes aucht to thank God almightie and secund thair thanksgiving with all the joyfull congratulationes in theme lyes ; thairfore the counsall ordains proclamatioun to pas through this burgh commanding and chairging that this day be keiped solemne and that thair be ane publict thanksgiving in the haill Kirkis of this burgh and that the haill inhabitantis of this burgh repair to this effect to the severall Kirkis within thair awin parochins and that all merchandis buithes and craftes mens choppes be closed and that no tavernis nor uther chainge houses be keiped open the tyme of the said thanksgiving and that all the mercattis remove of the streittes and siclyik and that all the

<sup>1</sup> The meeting of the Estates began 29th July 1630. The instructions given to Mr Alex. Guthrie in April 1633 (Appendix xii.), possibly reproduce those which might have been given to Hay. The Burgh of Edinburgh does not profit individually in the legislation.

<sup>2</sup> Afterwards Charles II. His birthday was 29th May 1630. The news had come quickly.

inhabitants in this burgh in the efternoone sett out bonefyres or fyres of joy in all the publict streittes and vennellis of this burgh ilk persoun under the payne of tuentie pundis at the ringing of the bellis.

4th June 1630.

Forsuameikle as they expecting ane guid issew of the mater of Stornway and lest that plantatioun intendit and offerit to his Maiestie be the borrowis sould tak ane delay thairfore ordanis [twenty-two burghs to be warn'd to send their Commissioners to the General Convention at Jedburgh] sufficientlie instructed . . . anent the said mater of the plantatioun of the said yle and improving of that fisching. . . .<sup>1</sup>

Stornway.

[A burgess-ship is given to James Thomesoun, servant of the Laird of Caderwood, who brought the news of the prince's birth.]

The treasurer is to pay 100 li. to Archibald Syidserff, merchant, for bringing post certain articles from Mr John Hay about Seaforth.]

12th June 1630.

[The treasurer is to pay 85 li. to William Trotter, merchant, for bringing post letters from Mr John Hay about the Town's affairs.]

16th June 1630.

[John Sinclare and Laurence Cockburne are elected commissioners to the General Convention of Burghs at Jedburgh on 6th July.]

30th June 1630.

The Proveist, baillies and counsall ressavit the letter frome his Ma. secrett counsall for keiping of the conventioun of the estaittes appointed to be within this burgh upone the tuentie aucht of Julij nixt.<sup>2</sup>

Conventioun  
estaittis  
Julij nixt.

Ordains the thesaurer to pay to James Philp for his paines in wrytting the Tounes signature the soume of tuentie pundis. . . .

Precept  
thesaurer  
Philp.

1st July 1630.

Forsuameikle as thair being convenit with the counsall ane gritt pairt of the best and worthiest nichtbours of this burgh and it being impaired unto theme the plantatioun of Stornway in the yle of the Lewes and improoving of the fisching in these pairtis with the which the counsall and nichbours being weill advysed they have thocht the same sall be undertaken in name of the borrowis, and to the effect that sum progres may be maid in the said worke they have thocht guid that the nichtboures sall be convined before the magistrattis and so manye of the counsall as they sall think meitt and ane nott taikin

Stornway  
fisching.

<sup>1</sup> *Rec. Conv. R. Burghs*, pp. 310-321. See also *A.P.S.* v. p. 220, for the King's proposals as to taking over from the Earl of Seaforth and erecting royal burghs in the Lewis.

<sup>2</sup> See preceeding page and note 1.

of quhat soumes of money everie particular persone will adventure in so guid and profitabill ane worke.

*2nd July 1630.*

Clows  
damheid  
Bonnyntoun  
Milnes.

Forsuameikle as the Proveist, baillies and counsall haiveing appertening unto theme these mylnis upone the watter of Leith called Bonningtoun mylnis and it being necessar unto theme to repair thair weir clouse neir to the daueheid for better preservatioun of the said mylnis and being willing to repair the same in such maner as may leist dampnifie the landis and heretages lyand besyid the said dam and pertening to Gilbert Kirkwood of Pilrig thair nichtbour; thairfore they have agriet with consent of the said Gilbert to fix the one end of the said weir clouse close upone his said land whairunto the said Gilbert consentit . . . to the end his said lands be not hurt or takin away be the rin of the said watter and for the better preservatioun of his saids lands the saids Proveist, baillies and counsall sall caus lyne with dailles along his saids landis as far as sall be thocht necessar above the said clouse and sua oft as the saids dailles sall fail or be taken away with the water sall repair the same of new againe and ordains the thesaurer to begin the said worke with all diligence. . . .

*7th July 1630.*

[A committee is appointed to meet with the ministers and session anent the disposal of the collection for the poor.]<sup>1</sup>

*14th July 1630.*

[Alexander Clerk and James Guthrie are elected commissioners to the Convention of Estates and to the particular convention of Burghs.]<sup>2</sup>

*16th July 1630.*

[The sum of 2,400 merks is given in gratuity to the six ministers and the principal of the college.]

*28th July 1630.*

Hay assessour  
conventioun  
Estates.

Appointes M<sup>r</sup> Johne Hay to assist the commissioners to the conventioun of estaittes till the small conclusioun of the same.

*13th August 1630.*

Sharp  
professour  
divinitie.

Understanding of the literature and suffieciencie of M<sup>r</sup> Johnne Schairpe laitt professor of divinitie at Sedin in Fraunce, thairfore they have all in ane voice thocht fitt and expedient and promised to ressaive the said M<sup>r</sup> Johnne ather to the ministrie within this burgh or professioun of divinitie within the coddage as they sall think meitt and the said M<sup>r</sup> Johnne compeirand agriet

<sup>1</sup> See p. 73.

<sup>2</sup> *Rec. Conv. R. Burghs*, pp. 321-4. The Parliament was prorogued till 1st April 1631. (*P.C.R.*, vol. iv. p. 1).



and consentit thairto and that he sould serve in ather of the saids plaices upone the lyik conditiounes as uthers does presentlie serve in the lyik plaices.<sup>1</sup>

[The treasurer is to repay 4,000 merks, borrowed by Mr John Hay from Patrick Wood in June.

The bailies' accountis of the King's extant, having been audited, show that the treasurer received 3,289 li. 13 s. 4 d. from John Sinclare ; 2,827 li. 3 s. 4 d. from Archibald Tod ; 3,086 li. 13 s. 4 d. from Edward Ferquhare and 6,671 li. 10 s. from Alexander Heriot.

The bailies' accounts of the fines, having been audited, show a balance against the Town of 517 li. 6 s.

The accounts of John Maknacht, dean of gild, for the third year of his office, having been audited, show a balance due to him of 715 li. 10 s. 2 d.] And in respect the grittest pairt therof hes bein expended extraordinerie upone reparatioun of the Kirk for the King's entrie, thairfore ordains the dayne of gild to repay him the annualrent therof frome Mertymes last. . . .

Forsuameikle as M<sup>r</sup> Johnne Hay is appointed commissioner to his Ma. be the lordis of secreit counsall with others of the rest of the estaittes anent the matter of the fishing and articles sent down theranent be his Ma. and sieing that the same does so much concerne the estait of the borrowis and that the said M<sup>r</sup> Johnne may be drawin to gritter chairges then is allowed to him be the said lordis. Thairfore the counsall ordains David Makcall to repay the said Maister Johnne quhatsumevir soumes he sall be superexpendit and the saids soumes so to be debursit be the said thesaurer to be rememberit to be socht frome the borrowes for thair pairt at thair first meitting.<sup>2</sup>

Commission  
Hay  
court precept  
thesaurer  
borrowis

#### 16th August 1630.

[The council and extraordinary deacons order that repayment be made to Mr John Hay of the sums spent by him at court in March last. The treasurer is to borrow the money needful.

The act of council of 13th instant anent Mr John Schairp is approved.

The act of council of the same date anent the refunding to Mr John Hay of any surplus over the sum of 2,000 li., allowed by the Privy Council, is approved.]

#### 1st September 1630.

Ordains the persounes appointit be the act the thrid of Mairche last anent the tounes effaires to meit and tak ordour anent the drawing up of the Tounes last signatur or sa manye of theme as ar present.

Tounes  
Signature.

<sup>1</sup> See *Crawford*, pp. 117-8, where it is stated that he "was by Cardinal Richelieu's procurement thrust out of France, and come over to London." *Bower*, vol. i. p. 173, suggests that the appointment of Fairlie (p. 57), was merely a temporary expedient to prevent that of Monteith. Sharp had been an opponent of James VI.'s schemes with regard to the Church, had been clerk of the Assembly at Aberdeen 1605, and for his share in that Assembly had been imprisoned for a time in Blackness and thereafter banished. He had taken refuge in Dauphiné, where he had been a minister and professor of divinity of the French Reformed Church. Why, considering his past attitude, he was considered eligible at this time for the professorship in Edinburgh, does not seem to be explained, unless he had relaxed his attitude towards episcopacy.

<sup>2</sup> *P.C.R.*, vol. iv. p. 20.

[The accounts of David Makeall, treasurer, for the first year of his office having been audited, a sum of 10,748 li. 10 s. 10 d. is found to be owing to him, and is to be allowed in his accounts of the following year.

The treasurer is to be charged with 6,000 merks, received from the burghs, in his next accounts. The following sums are to be allowed to him: 1,150 li., being the Town's share of the preceeding sum; 301 li. 17 s. 6 d. as the Town's share of 500 merks granted to Culros; the Town's share of 480 li. due to the agent, and of 30 li. granted to Alexander Makeairtney.]

*8th September 1630.*

School  
Camroun  
fencer.

Grantis licence to Johnne Camroun, master of defence, to hold ane scoole of fence within this burgh during the counsallis will and provyding he carye him selff honestlie in all things.

*10th September 1630.*

[The treasurer is to pay the expenses of the commissioners to the General Convention at Jedburgh, being 477 li. 3 s. 4 d.]

*17th September 1630.*

Regraiters  
wooll.

Forsuameikle as it is heavilie regraitted be all the inhabitantis of this burgh of the grit number of the burgesis of this burgh to the number of thriescoir or thairby daylie buyes grit number of wooll within this burgh sellis and regraittis the samyn over againe within the samyn contrare to the lawis of this realme and actes and statuttis of this burgh to the grit hurt and praejudice of the inhabitants of the samyn; thairfore ordains the saids persounes to be put to the present knowledge of ane assyis and unlawit for byganes and actit ilk man to desist thairfra in tyme cuming.

*22nd September 1630.*

[Alexander Clerk is allowed to dyke the part of the Town's lane leading past his house and lands of Whythous.]

*24th September 1630.*

Thesaurer  
dischaarge  
Traill.

Forsuameikle as for guid consideratiounes the counsall thoct guid that the pittie customes of Leith sould not this last yeir cum into the handis of such as heirefter sould prejudge theme and that for that caus Robert Traill at thair desyre had overbidden at Mertymes last all uthers and had biddin the soume of sex thousand thrie hundreth and fyftie merkis quhairunto the the saids dewties hes not this yeir surmonted as they perfytlie efter dew tryell understands; thairfore the counsall ordains the soume of auchtein hundreth and fyftie merkis to be dischaarged to the said Robert and to be allowit to the thesaurer in his comptes. . . .

1st October 1630.

[The treasurer acknowledged receipt from Peter Algeo, Town's agent, of 211 li. 1 s. 4 d.] contenit in ane decreitt purchest at the guid tounes instance against the ladye Skirling for building of the pend of Bellis Wynd. . . .

6th October 1630.

[Water bailie, Gilbert Williamsoun; baron bailies of Leith, Gilbert Williamsoun and John Inglis.]

[A Particular Convention of Burghs is summoned for 28th instant anent Stornoway and the fishing] and for giving informatioun to these appointed of the estait of the borrowis to meitt with the remanent of the estaittes. . . .<sup>1</sup>

[Council for the year 1630-31: *Provost*, Alexander Clerk; *Bailies*, Nicoll Uduard, Andrew Simpsoun, Gilbert Achesoun, John Rynd; *Dean of Gild*, Joseph Marjoriebankis; *Treasurer*, William Gray; *Council*, David Aikinheid, James Cocherane, William Reid, Andrew Ainslie, Edward Edgar, John Maknacht, David Makcall, David Murray, George Baillie, David Jonkyn, Robert Miklejohnne [skinner], John Ker [surgeon]; *Deacons of Crafts*, William Carnegie, skinner, Lawrence Cokburne, surgeon, Alexander Reid, goldsmith, Thomas Patersoun, tailor, William Clerkoun, hammerman, James Broun, cordiner, Thomas Weir, furrier, John Frank, wright, Thomas Patersoun, mason, Patrick Douglas, baker, Robert Skirling, flesher, George Hill, weaver, John Wawes, waulker, Patrick Stirling, bonnetmaker.]

15th October 1630.

[The council and deacons, with certain neighbours, of whom sixteen merchants and nine craftsmen, being met in council] forsuaimeikle as thair being ane extent of four hundreth thousand pundis with ane uther taxatioun upone the annuelrent agried to be the estaittes . . . in Junij last<sup>2</sup> and the counsall considering quhat prejudice and distractiounes it nicht breid in the bodye of this toun if the said ordiner and extraordinar taxatiounes wer separated and devydit and thairfore had maid offer to his Ma. of fourtie thousand pundis for the said ordiner and extraordinar taxatiounes to be payit at four severall tymes or termes Lyikas the lordis of his Ma. privie counsall had accepted of the said offer as ane act of counsall of the daitt at Holyrudhous the nynt of August last beires. As also . . . considering how far the commoun guid of this burgh is ingadgit for doeing and performing of certain thair grit and necessar effaires whairwith they have bein burdeynit thir yeires bygane Thairfore the counsall for releif of thair commoun guid with ane consent of ane grit part of the honestest nichtboures of this burgh hes agried that thair

Extent  
xii lib.  
taxatioun.

<sup>1</sup> *Rec. Conv. R. Burghs*, pp. 324-6.

<sup>2</sup> *A.P.S.*, v. pp. 209-17. This included the ordinary taxation of 30 s. for each pound land of old extent and an extraordinary tax of the twentieth penny on all annuallrents. The latter tax made requisite the declaration of all sums from which an annuallrent was due. It was objection to this proceeding which moved the Town Council to offer one inclusive sum of money, to avoid the difficulties and unpleasantness which they anticipated from the investigations necessary for the new tax. See *P.C.R.* iv. 8-9 and 19, acceptance by Privy Council of offer of composition. To the sum of £10,000 Scots for the King's taxation, was added a large sum for the purposes of the town.

be levied of the nichtboures at ilk terme of his Majesties taxatioun the soume of ten thousand merkis. [The exteuters therefore are to extent for the sum of 26,000 merks for the first term's payment.]

20th October 1630.

[Price of tallow, 40 s. the stone ; price of candles, 52 s. the stone and 3 s. 4 d. the pound.]

22nd October 1630.

Commissioun  
conventioun  
Burrowes,

Forsuameikle as the conventioun of ane number of everie estait appointed be the last conventioun haldin at this burgh in Julij last for the mater of the fisching to be at this burgh the second of November nixt to the conventioun Alexander Clerk and James Guthrie ar nominat be the said estaittes and that the conventioun of borrowis drawis neir appointed to be the tuentie aucht of this instant Thairfore the counsall hes elected the said Alexander Clerk and James Guthrie commissioners to the said conventioun. . . . [A letter is to be sent to the former asking him to come to Town and a committee is appointed to consult anent the affairs to be settled.]<sup>1</sup>

29th October 1630.

[Mr James Fairlie, professor of divinity in the college, is elected one of the ministers in the S.W. parish.

The marches are to be ridden on Hallowe'en.]

15th November 1630.

[As the bailies were bound to pay 10,000 li. for the extent due at Martinmas last and had not collected the sum, they are authorised to borrow the same at interest.]

17th November 1630.

[The house in the churchyard is allotted to Mr James Fairlie, minister of the S.W. parish, with a stipend of 1,200 merks.

Mr James Fairlie resigned his post of professor of divinity.

The sum of 6,342 li. 5 s. was collected for the poor.

Mr John Schairp is elected professor of divinity with a salary of 1,200 merks and the house, sometime occupied by Mr Peter Ewart.]

19th November 1630.

Forsuameikle as the mater of the moneyis is proponit be the lordis of his Ma. secreit counsall and continewit to the first counsall day of Mairche nixt [therefore a Particular Convention of Burghs is summoned for 24th February.<sup>2</sup>

Andrew Ronnald, tailor, servant to the Earl of Morton, is made burges gratis.]

<sup>1</sup> See 13th August 1630 (p. 79).

<sup>2</sup> See *Rec. Conv. R. Burghs*, iii. pp. 329-30. After this date the Convention Records are missing till the year 1649. *P.C.R.* iv. p. 23, 8th September 1630 : Order anent the circulation of false dollars.



26th November 1630.

[The deacon and brethren of the skinnners presented certain articles for ratification by the Council] off the quhilkis articles the tennour followis :<sup>1</sup> IMPRIMIS that all persounes of the said craft sall compeir before the deykin and brethrein of the said craft quhen they are wairnit for such thinges as concerne theme conforme to the sett : Item that na maner of persoun of the said craft of skynner craft be sufferit to sett up buith in the said craft or pull skynniss within this burgh without they be burgesis and friemen of the samin craft and sufficeint and habill in thair warkmanschip and utherwayes and admitted thairto be the Proveist, baillies and counsall and be the deykins and suorne maisters of the said craft for payment of the deutye accustomit : Item forsuaimeikle as certain brethrein of the said craft not haiffand regaird of the commoun weill bot followand thair awin privat lucre hes ressavit ane multitud of prenteisis of thair awin appetyt quhilk they could not be abill to overtak be instructing of theme in the said craft and sustening of theme as they aucht to doe, for remeid thairfore to statut and ordain that it sall not be leasume in tyme cuming to any brether of the said craft to ressave ane new prenteis quhill the first thrie yeires of the last prenteis quhilk he ressavit immediatlie be compleitlie outrun and that under the payne of fyve pundis to be payit to the baillies in name of the guid toun as oft as they failyie and thair buith to be closett and steikit up and nocht to be sufferit to worke quhill the same be reformat : Item that na maister ressaive in service any servand of the said craft that hes not bein ane prenteis with ane frie maister except he first cum with the deykin and quarter maisters being for the tyme and caus him be buikit to be bundin servand for the spaice of thrie yeires in the Tounes buikes efter the quhilk thrie yeires outrun the said servand salbe frie to serve quhair he pleis with ane frie maister within the Toun and this for eschewing of the abuse that hes bein throw the multitud of servandis daylie resorting and repaying within this burgh and learning of the said occupatioun and thair-after passing furth thairof to remayne quhair they pleis under the payne of fourtie shillingis to be payit be the said maister sua oft as he failyies to the baillies of the guid toun : Item that nane of the maisters of the said craft tryst house, harbour or ressaive any uther maisters prenteis without the said prenteis or servand have satisfiet the last maister for his service and haive obtenit his discharge therupone, at the leist without he haive ane sufficient caus knawin and tryet be the ordiner judge to leave his said maister foresaid under the payne foresaid : Item that na prenteis of the said craft salbe ressavit to his upsett or admitted to his friedome without he haive servit for the spaice of thrie yeires at the leist at the outrunning of his prenteischip with sum frie maister that he may serve oure soverayne lords liedges : Item that na skynner worke be sauld within this burgh upone the streittes or publict plaices outwith buith

Decreitt  
Arbitrall  
skinnners.

<sup>1</sup> The seal of cause of the skinnners is dated 2nd December 1474, being the second seal of cause recorded (*Extracts*, i. p. 28). On 22nd August 1533, their statutes were confirmed by the Council.

except upone the Monendayes mercat day under the payne of escheit of the same to the guid tounes use : Item that nane be admitted or ressavit friemen of the said craft except he first give his essay to the deykin and craft and such as they sall appoint thairto and that the samyn be fund sufficient be theme, urtherwayes not to be maid friemen : Item that nane be fund brecking sheip skynnis on the run syid ather for pointes or gaitt lether or selling the samin for raphall ather in publict or privat and who salbe apprehendit failyeing heirin they salbe brocht before the Proveist, baillies and counsall with the first taken with theme and they sall with advyse of the deykin and thrie or four Maisters be punished as effeires : Item that na feinyet or fals stuiiff be sauld to oure soverayne lords liedges and quha beis fund to doe in the contrare lyikwayes salbe brocht with his stuff that is fundin with theme before the Proveist, baillies and counsall of this burgh wha be the advyse of the deykin and four or fyve of the worthiest and best of the said craft sall mak the persoun or persounes to be punished as effeires ; item that nane sall bachill anye of the said worke pertening to the said craft ather in the hie gait or in the Kirk nather on holyday nor workday under the payne to be punished be the saids Proveist, baillies and counsall with advyse foresaid, and that nane hing up any bachill or exempill of thair worke pertening to the skynner craft to publict veiwe within this burgh or putt anye paterne of gluiffes upone seymie before his buith in na tyme to cum except friemen of the said craft : Item that nane alme nor grow or lyne anye scheip skynnis kid or lamb or calff skynnis nor na unfrieman pull anye sheip kid or lamb skynnis It alwayes heirby declayrit that it salbe lafull to all burgesis and friemen of this burgh and all uthers employit be the counsall in commoun manufactories ather erected in Sanct Pauls worke or to be heirefter erected within this burgh to pull skynnis, sell, use and dispone upone the wooll thairof at thair pleasoure : Item that na unfrieman perfume, wasche, cullour, buttoun or dres anye gluiffes nor worke with anye scheir, neidle, grinding stane or uther worklume quhatsumevir properlie appertening or belonging to the skynner craft without prejudice to the merchands quho buyes anye perfumed gluiffes ather at home or in forayne pairtis in caice they be faltisch to help the smell ather be perfume or watter provyding they doe not perfume or wasche anye quhilk hes not alreadye bein perfumit or waschin nor use no worke turne of a skynner nor buttoun nor fascheoun theme againe : Item that na unfrieman sell anye gluiffes within this burgh ather in housis, buithes or uther wayes except on the mercat day and friemen of the skynners : Item for eschewing of fraud and dissaitt statuttis and ordanis that the awneris and sellers of bestiall present and bring to the said mercat the skynnis with the boulkis thairof to be sauld in oppen mercat under the payne of escheitt of the saids boulkis but favour and that all the saids boulkis and skynnis be brocht to the oppin mercat in sommer before aucht houres in the morning and in wynter before nyne houres under the payne of escheitt thairof and that nane of the skynnis be sauld bot in oppin mercat quhill they be visited be the sercheours and visitouris appointed thairto under the payne of escheitt of the same : Attoure that nane of the saids skynnis salbe cuttit

tarledderit nor pullit nor clippit in any pair of the samin under the payne of fyve shillingis to be tane of the awners thair of for ilk skyn that salbe fund with anye of the saids faltis and siclyik that na rouche skynnis shorlingis or footfailles salbe skoirit hoillet or blaymit under the payne of aucht pennyes for ilk skoire holl or blayme that sall be fund in the saids skynnis and that the said faltisch skynnis being visited and apprendit sall be layed apairt and sauld be theme selff unput or mixed with uther skynnis quhairby the merchand byars may buye theme according to thair worthe under the payne and unlaw to be taiken up of new againe of everie ane of the saids skynnis according to the faltis foresaid and it sall be leasume to the saids visitouris to retein the saids faltisch skynnis quhill the said unlaw be payit : And that na maisters nor servandis tak upone hand to pas to anye buith or fleschour hous to buye anye grein skynnis or yit give arles to foirstall the same bot that they be first presentit to the mercat and thair sauld and in no uther plaice under the payne of ten pundis be the buyars and fyve pundis be the selleris and the selleris to be put in waird thair to remayne quhill the same be payit conforme to ane act of counsall of the daitt the nynt day of December 1608 : Item that na maner of unfrie persounes be fund maiking broiderit gluiffes or working any sort of worke pertening to the skynner craft within this burgh or putt anye patterne thair of upone his seinyie before or within his buith in na tyme to cum. Fynallie that the Proveist and baillies at the desyre of the deacons and brethrene of the said craft sall putt the saids articles to executioun and reforme all uther enormities of our said craft and give command to the officers to concure to that effect and to ratife and approve the same and to ordayne ane extract heirof to be grauntit to thame under the subscription of ane of thair elerkis and seill of caus to the effect they may have ane ratification from his Ma. exped in dew forme as effeires as at mair lenth is contenit in the said supplicatioun. [The council and deacons approve the foregoing petition and consent that ratification may be sought from the King.]

*1st December 1630.*

[Price of bread : a 12 d. loaf of 10 oz. 3 drops ; a 6 d. loaf of 5 oz. 1 drop ; Price of ale : 16 d. the pint.]

*8th December 1630.*

Grantis licence to Stephan Tilliedaff, musician, to keip ane musick scoole within this burgh . . . upone conditioun and provisioun to serve the guid town when they sall [have] occasioun to imploy him. . . .<sup>1</sup>

Tilliedaff  
musik schooll.

*10th December 1630.*

Grauntis to David Rollock of Powis to be payit to him and his curatouris for him selff and remanent distressit persounes in Strivelingschyre quhaiis

Supplie  
Rollock.

<sup>1</sup> In 1618 two men were forbidden to keep music schools (*Extracts, 1604-1626*, p. 184). This seems to have been the first permitted, apart from the Town's own Song School.

landis wer overflowed with spett of water the soume of tua hundreth merkis . . . and ordains the collector to collect the few dewtyes of the same landis of Powis.<sup>1</sup>

17th December 1630.

Discharge  
girnelling  
victuall  
instructioun  
Hay  
Court.

The counsall resenting the prejudice sustenit be theme be the act of counsall suspending the decreitt obtenit be the guid Toun in Mairche last against certain inhabitants of Leith in so far as the same concerns girnelling of victuall and considering how the consequence of such a preparative may draw upone theme in all uther thair richtes priveledges liberties and infeftments Thairfore gives powar and commissioun to M<sup>r</sup> Johnne Hay for supplicatting his Ma. in thair names for obteneing of the said act of counsall simpliciter rescindit and ordains him to use all meanes he possiblie can for effectuatting thair of and in all uther thinges sall occur concerning the guid tonn according to the instructiounes to be givin to him . . . and ordains the thesaurer to pay the said M<sup>r</sup> Johnne quhat he salbe superexpendit by and attour that quhilk is allowed to him be the lordis and . . . to remember to caus the same be socht againe frome the borrowis.<sup>2</sup>

Precept  
thesaurer  
Johnnestoun  
Hay.

Forsurnameikle as be act of counsall of the dait the 16 of August last the thesaurer wes ordanit to pay to M<sup>r</sup> Johnne Hay what soumes of money he sould happin to be superexpendit at his last being in England and the said M<sup>r</sup> Johnne haiveing borrowit frome Johnne Johnnestoun in name of the guid Toun the soume of tua thousand merkis for defraying of his chairges, thairfore ordanis Williame Gray, thesaurer to pay the said soume. . . .

22nd December 1630.

[The Masters of the Hospital are to be charged with the 20,000 merks borrowed by the treasurer in May last for payment of Mr James Raith and to be discharged therewith when they produce his receipt.]

24th December 1630.

[James Loch, one of the elders of the S.E. parish, is appointed kirk treasurer.

A tack of the parsonage and vicarage teinds of the lands of Langhermistoun is made for nineteen years to William Murray for a yearly payment of 20 li.

A tack of the parsonage and vicarage teinds of Curriehill is made to Sir James Skeyne of Curriehill, Kt., President of the College of Justice, for a yearly payment of 16 merks.]

<sup>1</sup> See 23rd December 1629, p. 62 *supra*, and *P.C.R.* iv. 25, 8th September 1630, appointing a commission to collect contributions for the sufferers by the slipping of Powis Moss.

<sup>2</sup> See Appendix xiv. See 9th October 1629 (p. 60) and 6th April 1630 (p. 72), and *Rec. Conv. R. Burghs*, vol. iv. p. 533. The entry is not dated. It states that Hay's expenses since 1629 had been 24,000 li. This sum the burghs engaged to pay in three instalments, after deducting Edinburgh's share.



29th December 1630.

[Mr John Hay produced the discharge for the first term of the King's tax, signed by George, Viscount Dupplin, Chancellor and Collector-General of the said tax.

Charles Scheirar, inhabitant of Dort in Holland, bequeathes the sum of 1,000 merks towards the support of a professor of divinity in the college, subject to his own liferent interest and, after his death, that of John Scheirar, his kinsman. The council accept both the money and the conditions.]<sup>1</sup>

14th January 1631.

Forsameikle as the Proveist, baillies and counsall haiveing for the abusses formerlie committed at thair commoun wellis caused clois the same and imput therin certain number of pompes for the better and more clein and nett service of the liedges and considering that through the daylie use of the saids pompes the same will requyre ane continuall attendance for upholding of the same. Thairfore the saids . . . counsall hes maid choise of Thomas Dods, plumbar, to keip, attend and manteyne the saids pompes . . . in all materialles belonging to the saids pompes, not onlie of the pompes which ar alreadye maid and imput into the saids wellis, bot of all uther pompes they sall heirefter pleis to imputt in anye uther wellis and lyikwayes for uphalding of the pyppes and leids in the societie and all thinges pertening thairto . . . for which they have grauntit and givin . . . to the said Thomas during his faithfull service in maner foresaid and during thair weill as said is ane yeirlye pensioum of the soume of ane hundreth pundis. . . .

Dods  
plumber  
pompes  
wellis.

Ordains the deyne of gild to ressaive George Ramsay, post, to be burges of this burgh for payment and to repay the same bak againe to him . . . for the guid and thankfull service done and to be done be the said George to the Guid Toun.

Ramsay  
post burges.

19th January 1631.

[Mr Matthew Lichtoun, minister at Currie, resigned his office. Mr John Charteres, student of divinity, was appointed in his place, with a stipend of 600 merks, 20 li. for the communion elements and the manse and glebe, formerly possessed by Lichtoun.]<sup>2</sup>

In consideratioun of the hurt sustenit be David Rollok of Powis throw the overflowing of Lethem moss for his farder help dischairges to him tua yeires few deuty of his said land of Powis. . . .<sup>3</sup>

Discharge  
Rollok  
deutie  
Lethem moss.

<sup>1</sup> See *Extracts, 1604-1626*, p. 101, for a previous legacy by the same man to the College and to the Trinity Hospital.

<sup>2</sup> See *Ibid. 1589-1603*, p. 207. Mr Matthew Leighton succeeded Mr Adam Leighton, apparently his father, as minister in Currie. The records do not give the exact date, but he was minister in 1597, when an increase of stipend was given to him, because he had to support his father and mother. In 1618 he had a tack of part of the teinds. Mr John Charteris was son of Mr Henry Charteris, sometime professor of divinity in the Town's College. He married in 1633, Rebecca, second daughter of Laurence Henderson, merchant in Edinburgh. Born in 1604, he was 27 years old at the time of this appointment.

<sup>3</sup> See 10th December, p. 85 *supra*.

29th January 1631.

Commissioun  
Guthrie  
Sanctandrois  
sessioun Leith.

Understanding that the sessioun of Leith contrare to the articles prescryvit to theme be the lordis of his Majesties hie commissioun intends by all meanes to bring in both gritter number of persounes and als to change the forme prescryvit thairin. Thairfore ordains Maister Alexander Guthrie to pas to the Archiebischepe of Sanctandroes for satling of these effaires. . . . <sup>1</sup>

Sturdie  
beggars  
resaiters.

Finding the grit number of ydill sturdye and strainger beggers to grow daylie within this burgh which fallis furth through negligence of dew punisshement both of theme and thair ressetters; thairfore ordains proclamatioun to pas and be maid throw this burgh to command and charge in our soverayne lordis name and in name and behalf of the Lord Proveist, baillies and counsall of this burgh that ydill sturdye and strainger beggers depairt presentlie of this burgh discharging theme to repair thairto in anye tyme heirefter certifieing such as salbe fund heirefter within this burgh that they salbe impressonett during the magistrattis will in the Dingvall and fed upone breid and watter for the first tyme and for the nixt tyme salbe lyickwayes imprissonett and brunt upone the cheik as lyickwayes commanding and chargeing that na inhabitantis within this burgh ressaive anye of theme into thair housis under the payne of banisshement of this burgh but favour.

4th February 1631.

[A Particular Convention of Burghs is summoned for 26th instant] anent the reforming of the abuse in the mater of the coyne conforme to the desyre of the lordis of his Ma. secrete counsall and siclyik anent the signature purchased be the laird of Barnis for ane fyre bitt upone the Ile of the May. . . . <sup>2</sup>

[Appointment of auditors of the Town's accounts.]

16th February 1631.

[David Aikinheid and William Carnegie are elected Commissioners to the Convention.]

25th February 1631.

Contributioun  
distressed  
ministers  
Palatinat.

Understanding of the gritt distress susteynit be the ministers of the Palatinat who with thair wyffes and families being banished thair native cuntrey above sevin hundreth persounes doe for the present remayne in Norem-

<sup>1</sup> See 26th February 1630 (p. 68 *supra*).

<sup>2</sup> *Rec. Conv. R. Burghs*, pp. 326-330. This is the last entry of conventions in these records till 1649. Proposals anent the reform of the coin were given in by John Acheson "Generall of His Majesteis Cunyeihous." on 18th November 1630 to the Privy Council (*P.C.R.*, iv. 63). These stated that the state of the coinage in Scotland "wes bred by giving course to forraine monceyes by the pecee abone the rait of your Hienes awne money." The matter of the Isle of May came before the Privy Council in January 1631 and again on many occasions. *P.C.R.*, iv. 143: "the Lordis assignis the first of Marche to the Laird of Barnes and Nicoll Uddart and Mr Alexander Guthrie . . . touneheinge the expedience of setting up of beacons upon the iland of May. . . ." *Ibid.* 330, the Lords found no reason for imposing any duty towards the maintenance of the light.

burgh in gritt povertie <sup>1</sup> and the lordis of counsall haiffing appointed ane general collectionn through the haill Kirkis of this Kingdome for thair help and relieff and the saids Proveist, baillies and counsall being sensibill of the sufferings of thair said Christian brethrein and thairfore hes graunted and ordaynit . . . ane generall contributioun to be maid through the haill nichtboures of this burgh and that the samin be intimat furth out of the pulpittes upone Sunday nixt and recommendit be the ministers to the charitable dispositioun of the nichtboures. [Collectors are appointed and ordered] with all convenient diligence efter the said intimatioun to pas through the haill nichtboures and collect and ressaive frome theme thair voluntar offering as God sall move thair hairtis and efter the same is ressavit to report the same to the counsall that they may tak forder ordour for deliverie thair of not to deliver the samen without farder ordour frome the counsall.

16th March 1631.

Understanding of an intendit course for chainging the present dycttis of the sessionn <sup>2</sup> which the counsall considdering findis it a mater that will gritt-unlie prejudge the whole inhabitants of this burgh of all sortis. Thairfore ordains letters to be direct to Maister Johne Hay present commissioner for theme to deall with his Majestie for staying of the said intendit course as lyikwayes to desyre him to purches ane farder warrand for recalling the decreitt of counsall suspending thair decreittes obtenit before the lordis of sessionn anent ginnelling of victuall against the inhabitants of Leith as lyikwayes ane uther to the lordis of sessionn for doeing of justice conforme to the lawis of the cuntry thair infeftmentis and former sentences. . . .<sup>3</sup>

Instructionis  
Hay Court.

25th March 1631.

[The council and extraordinary deacons] resenting the gritt and heavie hurt thretned to the whole hedges and in speciall to this burgh be the intendit chaine of the termes of the sessionn and his Ma. counsall haiffing delayit the prosecuting of the warrand sent down to theme be his Ma. for chainging of the

Missive Hay  
Court.

<sup>1</sup> An Act of the Privy Council (iv. 118) recommended the collection for the ministers of the Palatinate, with a special proviso that each member of the Council and Session should be asked to contribute. See *Ibid.* p. 132 for the letter of the ministers.

<sup>2</sup> See *P.C.R.*, iv. 176, 178. The Town Council apparently had inside information, for it was not till 23rd March that the Privy Council received the King's warrant for the changes. It provided "that there sall be onlie one continuall Sessionn through the whole yeere, and that this present yeere and yeerlie in tyme comming the Sessionn sall sitt and continew whill the last of Apryll inclusive, and the vacance to begin the first of May and to continew till the fyftene of October nixt inclusive; the whilk fyftene day of October nixt the Sessionn sall begin this yeere 1631 and sitt and continew thereafter during the whole space abone specifeit but interruption exceptand onlie Christmasse day and twelfe dayes there after." The Town Council asked for delay to produce their objections to the alteration. The old custom prescribed in 1587 (*A.P.S.*, iii. 447) was that the Sessionn should sit from 1st November till 15th March, and again from 15th May till 15th August. The period of the sitting of the Court of Session was therefore to be shortened by about five weeks. This may have been one of the reasons for the burgh's opposition to the change.

<sup>3</sup> See 17th December 1630 (p. 86) and *P.C.R.*, iv. 80, 81, 598, anent ginnelling in Leith.

saidis termes till the first of Julij nixt. Thairfore ordains ane letter to be direct to Maister Johnne Hay in thair names acquainting him with thair proceedings heir and of the said delay and to desyre him to advert to the said mater and to doe his best diligence for recalling of the former warrand. . . .

Relict King  
gratuitie.

Ordains the thesaurer to give to the relict of M<sup>r</sup> James King, advocat, the soume of ane hundreth merkis in frie gratuitie for the which shoe delyverit the fyve prothocoll buikes of unquhill Alexander King, sumtyme clerk deputt of this burgh. . . .<sup>1</sup>

30th March 1631.

[A council for the drapery work is appointed, composed of seven persons].

1st April 1631.

Missive  
conventioun  
burrowes  
fysching.

Forsameikle as the lordis of his Ma. Privie counsall haiveing schewen that the commissioneris for this Kingdome in the mater of the fisching haiveing writtin to theme for thair advyse anent the firthes, loches, bayes and illes and some distance frome the land desyred to be reserved for the natives which is thocht to be too much and thairfore desyring the saids lordis advyse what should be reserved for the natives with the names of the plaices and the saids lordis haiffing appointed the [ ] day of Apryle instant to the borrowes to report thair advyse [a Particular Convention is summoned for the 18th instant to discuss the matter.]<sup>2</sup>

4th April 1631.

[The treasurer is to pay to Mr Henry Drummond, servant to Lord Monteith, 400 merks for his expenses] in bringing down the letter frome his Ma. for staying of the intendit course of the chainge of the termes of the sitting of the session and caryeing up uther letters to M<sup>r</sup> Johnne Hay. [He is also to be made burgess and gild brother gratis.]

Ordains missive letters to be direct to Maister Johnne Hay for procureing ane warrand for ane absolute dischaarge of the warrand graunted for chaingeing of the session. . . .<sup>3</sup>

15th April 1631.

[David Aikinheid and William Carnegie are appointed commissioners to the Particular Convention of Burghs.]

<sup>1</sup> Now in H.M. Register House. The volumes bear date as follows : (1) 5th April 1548 to 18th April 1550 ; (2) 19th April 1550 to 23rd September 1551 ; (3) 28th September 1551 to 4th January 1552 ; (4) 7th January 1552 to 1st June 1555 ; (5) 1st June 1555 to 5th June 1563.

<sup>2</sup> See 22nd October 1630 (p. 82), and *Rec. Conv. R. Burghs*, vol. iv. pp. 525, 527-9, and *P.C.R.*, iv. p. 181, reporting a meeting with the English commissioners, and asking for information as to the names of "frythes, loches, wayes and yles" to be reserved for the natives and stating that it was thought they tried to reserve too much.

<sup>3</sup> See p. 89 *supra* and *P.C.R.*, vol. iv. p. 218, giving the text of the King's letter, wherein he postponed the matter till the sitting of a Parliament or Convention of Estates. The letter, dated 6th May 1631, was presented by the Provost, accompanied by the bailies and some of the Council.



20th April 1631.

Ordains proclamatioun to pas throw this burgh be sound of drum dis-chairgeing all persounes of quhatsumevir rank or degrie frome weiring of plaids about thair heids or over thair faces ather upone the hie streittes, vennellis or mercattis of this burgh or in the Kirkis with certificatioun to theme if thai failyie thair plaids salbe confiscatt and ilk persoune contravener unlauid in ane unlaw of fyve pundis. . . .<sup>1</sup>

Dischaige  
plaids.

11th May 1631.

[The accounts of the old bailies for the fines having been audited, a sum of 373 li. 11 s. is found to be due to them. The treasurer is to repay it.]

18th May 1631.

[The weaponshowing is to be held on 10th June.]

Componis for infettment to be givin to the ministers, elders and deacones of the sessioun of Leith of tua aikers and ane half of arrabill lands. pertening to Andro Bishope of Brechen and Bishope of Galloway and disponit and mortified be him to theme for sustentatioun of the poore of Leith conforme to the dispositioun, lyand in the barronye of Restalrig and schereffdome of Edinburgh gratis and haldin of the Trinitie colledge.<sup>2</sup>

Compositioun  
sessioun of Leith  
lands  
Restalrig  
gratis.

20th May 1631.

Forsuameikle as the Proveist, baillies and counsall recensing the grit hurt sustened be the haill inhabitants within this burgh and uthers his Ma. liedges resorting to this burgh through the daylie increas of forestallers and regraitteris who led be avarice does against the actes of parliament and lawis of this burgh forestall the haill guides cuming to the mercattis of this burgh or regraittes the same into the saids mercattis quhairby thair is ane artificiall derth inter-tayned in the said mercattis and especiallie of butter, cheis, all kynd of pultrie and uther vivers cuming to be sauld in the mercattis of this burgh and the saids Proveist, baillies and counsall considdering that if the said abuse be not tymouslie previned the same will grow to ane farder heicht to the heavie prejudice of all his Ma. liedges. Thairfore they have statut and ordaynit . . . that all butter, cheis and all kynd of pultrie and uther vivers be frielie presented to the saids mercattis and sauld in oppin mercat and dischaiges all regraitteris and forestallers frome cuming to the saids mercattis and that nane tak upone hand to keip hurd or ressett in thair houses the said butter, cheis or anye kynd of pultrie, vivers or pas throw the town therwith under the payne of tuentie pundis for the first falt, fourtie pundis for the second, and banishment the town for the thrid, and siclyck dischaiges the inhabitantis of this burgh frome buying of any of the saids guides outwith the saids mercattis appointed

Statute  
forestallers  
butter, cheis,  
pultrie.

<sup>1</sup> See 25th July 1628 (p. 47).

<sup>2</sup> See *South Leith Records*, i., p. 28.

and designed for the same under the payne of fyve pundis *toties quoties*. And ordains this present statut to be published throw this burgh be sound of drum that nane pretend ignorance. And to the effect that the Proveist, baillies and counsall be not frustrat of thair [ ]<sup>1</sup> and through defect of executioun of this present act; thairfore they have thocht meitt that thair be searcheours and visitouris apointed for tryeing of the saids abuses and keiping of the saids mercattis in good ordour and hes appointed for visitour of the pultrie mercat Williame Gairdin during the counsallis will and ordains the said Williame to attend continuallie upone the saids mercattis and to dilate the saids regraitters and forestallers and to searche all houses suspect of ressaitt of the saids vivers with all uthers that pas throw the Toun privileie therewith and diligentlie to advert that no inhabitants pas to uther plaices ather outwith the Toun to the suburbs or within the Toun then to the open mercat and to dilate the dilinguents to the magistrattis.

27th May 1631.

[The Town owes to the Trinity Hospital the sum of 27,411 li. Therefore the treasurer is to collect from the bailies so much of the tax for relief of the common good as may be had and to borrow the rest and to pay the Masters of the Hospital. Also, as the Town owes 1,000 li. to Mr James Raith for the lands of Stanydail, bought from the goodman of Coatfield and himself, the treasurer is to borrow that sum and pay Mr James.

The council having paid for the lands of Coatfield the sum of 20,000 merks, the Masters of the Hospital are ordered to pay to Mr James Raith the remaining sum of 38,500 merks and to borrow money, if it is necessary, in which case the magistrates and the masters will give bond for its repayment.]

1st June 1631.

Ordains missive letters to be direct to the burgh of Dysart desyring theme to requyre the haill borrowis for sending of thair commissioneris sufficientlie instructed anent the number of busches this cuntry may afford for the fisching and becaus that appeirantlie sum conclusioun will be maid betwixt these of England and the commissioneris for this Kingdome anent the fisching Thairfore that lyikwayes they send thair commissioneris sufficientlie instructed for what can be incident in that mater. . . .<sup>2</sup>

3rd June 1631.

Finding ane gritt abuse croppin in of late into the wool mercatt throw the oversieing of ane number of regraitters and forestalleris who frequents the said mercat contrare to the lawis of this Kingdome and statuttis of this burgh maid formerlie theranent for remedye quhairof and for better regilment of the said mercat in tyme cuming hes statut and ordaynit . . . that the wooll

Missive  
Dysart  
fishing.

Wool  
mercatt.

<sup>1</sup> The word is left blank.

<sup>2</sup> See Pagan, *The Convention of Royal Burghs*, pp. 225-7, and *A.P.S.*, v. pp. 221-3, 226-244. The provost and James Guthrie were members of the Commission, appointed in July of that year to discuss the proposals made by the King on the matter. See also 1st April and note (p. 90 *supra*).

mercatt of this burgh sall not be struckin up nor begin before sevin houres in the morning upone the mercatt day thair of and that na maner of persoun tak upone hand to open any buith durris or hold any mercatt or be fund buyeing selling, blocking or sichtig anye wooll before the said hour under the payne of fyve pundis . . . and that na maner of persoun tak upone hand to buye anie wooll cummand to this burgh or forestall or regraitt the same publictlye or privatlye within or without this burgh . . . under the payne of fourtie pundis and anent the wooll cummand to the said mercatt and presentand the same that nane tak upone hand to sell the same againe in the said mercatt under the payne of fourtie pundis . . . and that na maner of persounes buye any wooll in the said mercatt to be caryed away or transported furth of this burgh or be sauld againe whill elevin houres before noone be struckin. . . .

[John Maknacht and William Carnegye are appointed commissioners to the General Convention of Burghs.]

15th June 1631.

The Proveist, baillies, counsall and deacons of craftis of this burgh, being convenit and considering of the declaratioun maid be theme anent the girnelling of victuall in Leith and contenit in the decreitt obtenit be theme before the lordis of sessioun against certain inhabitants of Leith of the dait at Edinburgh the xj of Mairche 1630, quhairby they declairit that the Chairtour graunted to thair predicessouris be umquhill Sir Robert Logane of Restalrig, daittit the last of Majj 1398 and confirmatioun of the same be umquhill King James the Fourt of worthie memorie with the confirmatioun past of the same in parliament upone the [ ] day of [ ] 1621 anent the prohibitioun of girnelling of victuall in the Toun of Leith and renunciatioun of the same salbe onlie propper and extendit against the inhabitantis of Leith and sall nawayes be prejudiciall to quhatsumevir noblemen, gentlemen or uthers his Ma. liedges who bringes or sends victuall to Leith to sell to girnell the same there nor to the saids inhabitantis of Leith to sett thair sellers or loftis to theme to that effect bot that it salbe lafull to the saids noblemen, barones, gentlemen and uthers his Ma. liedges to girnell thair victuall thair conforme to use and wount with provisioun alwayes that notwithstanding of this declaratioun the said chairtour grantit be the said umquhill Sir Robert Logane and confirmatioun of the same sall stand in force and effect against the saids inhabitantis conforme to the teunour upone the provisiounes thairin contenit [ratify the above declaration in all points.]<sup>1</sup>

Against  
girnelling  
victuall in Leith  
inhabitants.

<sup>1</sup> See p. 89 *supra* and Appendix xiv. This modification of the Council's regulations may be taken as done to conciliate the nobles and gentry of the neighbourhood. The charter of Sir Robert Logan only renounces all rights of girnelling and other rights in respect of his heirs and assignees. The allusion to the charter of James IV. appears to be to that of 9th March 1510-11 in which he confirmed to Edinburgh the charter of James III., dated 16th November 1482. One clause in the latter charter bears "that na maner of stapill gudis of strangeis remane or be housit langare in Leith eftir it be dischargit and losit than it may be cartit and brocht to the toun undir the pane of eschete, and that they mak na merkate in Leith undir the samyn pane. . . ." (*Charters relating to the City of Edinburgh*, pp. 48-52, 169, 196-8; *A.P.S.*, ii. p. 252, cap. 29.) See also *P.C.R.*, iv. 248-251, quoting the tenour of the above act.

22nd June 1631.

Commissioner  
Hay  
coall, salt.

Being informit of ane restraint of salt of Ingland frome hence and limiting of the same to ane small quantitie and that onlie to be sauld to ane few number and for restrayning of forraine salt to be imported to anie of his Ma. Kingdome which the counsall considering did find so much to concerne this whole Kingdome drawing in consequence with it the overthrow of the coaleheuches and considdering that the exporting of coale and salt and importing of forraine salt is ane of the best meanes quhairby schipping and trade is manteynit within this Kingdome and haiveing with ane number of the gentrie and uthers of the heretouris of coaleheuches and saltpannis of this Kingdome supplicat the lordis of his Majesties secreit counsall for recommending of the said mater to his Ma. as ane mater neirlie concerning the whole bodye of this Kingdome and becaus it is necessar that ane mater of this consequence be cairfullie followed furth at court [they appoint Mr John Hay their commissioner to deal with the matter] as lyikwayes if that he be upone his jurney to desyre him to goe bak to court to attend the said bussines. . . .<sup>1</sup>

29th June 1631.

[The collectors for the distressed ministers of the Palatinate declared that they had collected 4,814 li. 19 s. 4 d. The receivers appointed by the Privy Council are instructed to keep the money until a means is found of remitting it to the said ministers.]<sup>2</sup>

2nd July 1631.

[John Maknacht, appointed commissioner to the General Convention, having been ordered to attend the commission of the teinds, William Reid is chosen in his place.]

6th July 1631.

[The sum of 1,800 li. is to be given as gratuity to the ministers and the principal of the college.]

15th July 1631.

[Henry Aikman is appointed surgeon to the poor.]

22nd July 1631.

[A new bond is made out for the sums of money borrowed for the purchase of Coatfield.]

<sup>1</sup> See *Rec. Conv. R. Burghs*, vol. iii. p. 527, and *P.C.R.*, vol. iv. p. 255, in which the Privy Council petitioned the King anent the proposed restriction of the import of salt, 23rd June 1631, writing at the same time, to the Earls of Morton and Menteith, members of the Council in London, to support them.

<sup>2</sup> See 25th February (p. 88 *supra*) and *P.C.R.*, iv. 118, 131, 277. George Snittie and William Gray, merchants, were appointed the receivers. Pp. 357, 492 narrates the manner in which the money was sent to Nuremburg to the ministers, by means of William Dick, who effected the transaction through a London banker, Pempe Calladrine.



[The Masters of the Hospital have paid to Mr James Raith for the purchase of Coatfield the amount still due, being 25,666 li. 13 s. 4 d. with the annualrent of 2,566 li. 13 s. 4 d. They have paid also 2,000 merks, being the annualrent due to Mr Thomas Aikinheid and to [ ] Preston of Craigmillar. They had received from the Town treasurer 30,152 li. due by the Town to them.]

*3rd August 1631.*

[William Merser, musician, is admitted burgess gratis.]

*12th August 1631.*

[Andrew Ainslie and Alexander Reid are appointed Commissioners to the particular convention of Burghs, as well as to the Convention of Estates at Perth on 19th September.]<sup>1</sup>

*17th August 1631.*

[The sum of 10,000 li. is to be levied for the King's tax and 10,000 merks for the common good, with 1,000 merks for expenses of collection.]

*7th September 1631.*

Appointes to confer anent the farthin tokens <sup>2</sup> the deyne of gild, thesaurer, Farthines  
auld Proveist, auld deyne of gild and thesaurer, ane of the baillies, David  
Jonkein, Williame Carnegye and Alexander Reid.

*14th September 1631.*

[The accounts of David Makecall, treasurer, for the second year of his office, having been audited, the sum of 16,563 li. 17 s. 1 d. is found due to him. William Gray, present treasurer, is to repay the same as also the balance of his last year's accounts and sundry other sums.

The accounts of Joseph Marjoriebankis, dean of gild, similarly show a balance due to him of 696 li. 15 s. 2 d.]

Forsuameikle as the Proveist, baillies, counsall and deacones of craftis of this burgh representing the haill bodey and communitie thair of considdering that ane noble Erle Williame Erle of Mortoun, Lord Dalkeith is dewlie and heretable infest and seasit in all and haill the landis lordschip and regalitie of Dalkeith, the landis and barronye of Caldereleir lyand within the said regalitie and in all and haill the landis and barronye of Lugtoun . . . all

Renunciatioun  
customs aill  
coall victuall  
Dalkeith.

<sup>1</sup> *A.P.S.* vol. v., p. 237. The commissioners of burghs gave in their report as to the fishing.

<sup>2</sup> On 26th August 1631, in accordance with orders from the King the Privy Council authorised the coining of 1500 stone of copper into farthings. The two reasons given were providing of small change for use of the poor, and approximating Scots coinage to that of England. A condition was made that no one should be obliged to receive farthing tokens "abone the value of saxpennies Scottish in ane pund" (*P.C.R.*, iv. 323-5). In spite of the definiteness of the order, the matter seems to have been reconsidered later, since on 10th January 1632, the Lords ordered the coining of penny and twopenny pieces, alleging them to be more convenient and less liable to be forged (*Ibid.* 403-5). It appears probable that the Burghs opposed the change in the currency and, as in another question of coinage, had their way, regardless of expediency.

lyand within the scherefdom of Edinburgh, and that thai have grantit to thame and thair prediccouris be his Ma. father of happie memorie the heretable office of scherefschip and heretable office of Coronalrie in the justice aires and ane priviledge for halding of gild courts within the bounds of the said Toun of Edinburgh, Toun of Leith, Newheavin and certain uther bounds mentioned in the chairtour grantit to theme theranent be his Ma. father of happie memorie as said is of the dait the [     ] day of Mairche ane thousand sex hundreth and thrie yeires as lyikwayes the custome of aucht pennyes to be uplifted of ilk laid of aile enterand within the portis of the said burgh and four pennyes for ilk burdein of the same and four pennyes of ilk laid of victuall and aucht pennyes of ilk laid of coalles at the said ports as at mair lenth is contenit in the said chairtour . . . contening also sindrie uther liberties priviledges and immunities; and they being cairful to prevent all questions and contraversies which may arryse betwixt the said Noble Erle his aires or successours, herituris and possessouris of the landis and barronies abonewrittin, and the Proveist, baillies, dayne of gild, thesaurer, deykins of craftis counsall and communitie of this burgh and thair successours in tyme cuming and for the love and favour and respect borne be theme to the said noble Erle and for intertaynement and continuance of that ancient friendship betwixt his Lo. and his noble predecouris and the Guid Toun of Edinburgh; Thairfore they find and declaire that it is expedient for the weill of the said Guid Toun that ane renunciatioun be maid be theme in favouris of the said Williame Erle of Mortoun, his aires and successours, renuncing and dischairgeing lyikas they be the tennour of this present act renunces and simpliciter dischairges for theme and thair successours the foresaids offices of scherefschip, coronalrie in justice courtis and the foresaids priviledges of holding of gild courtis within the bounds of the said lordschip, barronye and regalie of Dalkeith and of the said barronies of Caldercleir and Lugtoun and declaires for theme and thair successours that it sall be lafull for the said noble Erle, his aires and his successours to use the haill liberties and priviledges pertening to ane regalie, barrony or burgh of barronye within the haill bounds of the said lordschip and barronye of Dalkeith, regalie thair of and barronyes of Caldercleir and Lugtoun conforme to the lawis of the Kingdome of Scotland *prout de iure* bot any obstacle or impediment to be maid be theme thairintill or be thair prediccouris foresaids . . . as lyikwayes they have renuncit and dischairged . . . all customes grauntit to theme and thair successours contenit in the foresaid chairtour of aucht pennyes upone ilk load of aile and four pennyes upone ilk burdein thair of and four pennyes upoun ilk laide of victuall that sall happen to grow upone the said noble Erle his landis and barronies abonementioned and thair customers and uthers in thair names frome uplifting of the same fra quhatsoevir inhabitants present or to cum of the said noble Erle his saids bounds and barronies of Dalkeith, Caldercleir and Lugtoun cuming within the said burgh of Edinburgh with aile or victuall except onlie the custome of ane pennye for ilk laid of aile and ane pennye for ilk burdeyne thair of and tua pennyes for ilk loade of victuall and siclyk all and quhat-

sumevir customes les or mair of the coalles brocht into the said burgh of Edinburgh be the tennentis and inhabitantis of the said Noble Erles landis and barronies abonewrittin present or that sallhappin to be for the tyme without prejudice alwayes and derogatioun to any uther chairtour libertie and priviledge grauntit to theme and thair predecessouris be infestments decreittes or anye uthers grants conceaved in thair favouris preceeding the said chairtour in anno 1603 yeires or actes of parliament or royall borrowes favouris and executioun of the same conforme to the tennour thair of *prout de jure* with this restrictioun alwayis that the claus immediatlie abonewrittin sall nowayes derogat to the foresaid renunciatioun of the saids offices of scherefschip and coronalrie nor to the priviledges of halding of gild courtis within the bounds of the said noble Erles landis and barronies abonewrittin nor yit to the foresaid renunciatioun of the customes particularlie abonexpremit nor to the declaratioun abonewrittin maid in favouris of the said noble Erle and his foresaids that they sall injoy thair landis, liberties and priviledges abonespecifiet contenit in thair infestments in maner abonewrittin notwithstanding anything contenit in the said chairtour in anno 1603 in maner foresaid. . . .<sup>1</sup> This renunciation was agreed to by the whole council and a signed extract was ordered to be transmitted to the Earl of Mortoun.]

6th October 1631.

[Council for the year 1631-32 : *Provost*, Alexander Clerk of Stentoun ; *Bailies*, William Dick, Thomas Charterous, Robert Achesoun, John Smith ; *Dean of gild*, Joseph Marjoriebankis ; *Treasurer*, William Gray ; *Council*, Sir William Nisbett of the Deane, Nieoll Uduard, Andrew Simpsoun, Gilbert Achesoun, John Rynd, John Maknacht, Mungo Makcall, John Hamiltoun, George Leslie, Robert Baillie, John Foullertoun, skinner, George Ker, elder, tailor ; *Deacons of Crafts*, William Carnegye, skinner, James Danielstoun, goldsmith, Thomas Quhyt, armorer, John Ker, surgeon, Thomas Patersoun, tailor, George Crawford, cordiner ; *Extraordinary Deacons*, David Murray, furrier, Patrick Douglas, baker, Robert Andersoun, flesher, Alexander Cleghorne, wright, William Wallace, mason, Archibald Wright, weaver, Daniel Robesoun, waulker, Alexander Sommer, bonnetmaker.]

7th October 1631.

Forsnameikle as the commissioners of borrowes resenting the prejudice they ar liekle to sustein through the incroatching of the grit constable upone thair liberties. Thairfore they have elected M<sup>r</sup> Johnne Hay commissioner for theme for dealing with his Ma. for preventing of the said constabils incroteling and obteneing the declaratioun of his richtes continued to ane parliament and

Great  
constable  
commissioun  
Hay court,

<sup>1</sup> See Maitland, *History of Edinburgh*, pp. 240-257 and in partieular p. 245, giving the bounds of the Town under the Golden Charter : "and in and through all parts of the county as far as the jurisdiction of the Sheriff of Edinburgh extends, or may be extended, as well Regality as Royalty, and in particular from Edgebueckling Brae on the East to the river Almond on the west ; to the confines of the aforesaid Sheriffwick on the South and to the middle of the Firth of Forth on the North." These bounds were restricted by the Charter of Charles I. in 1636.

for withstanding of any signatoure to be granted to him and ordanit the Guid Toun to advance his chairges to be repayed be theme bak againe and the counsall considdering how far they ar interest in the said mater for theme-selfies; thairfore they have nominat and chosen . . . the said M<sup>r</sup> Johnne Hay commissioner for theme and grauntis and gives full powar and commissioun to the said M<sup>r</sup> Johnne for dealling lyikwayis with his Ma. to the effect abone-writtin and to use all meanes for staying the said constabils patent. . . . [The treasurer is to advance his expenses, and a committee is appointed to set down his instructions.]<sup>1</sup>

[Mr William King resigned his post as regent in the college.]<sup>2</sup>

10th October 1631.

[The council, extraordinary deacons, Mr Alexander Thomesoun and Mr James Fairlie, ministers elect] M<sup>r</sup> Alexander Hepburne to be ane of the regents in King James Colledge vacand be dimissioun of Maister Williame King . . . with provisioun that he sall not leave the classe he begins till they be laureat without the consent of the counsall and that he sall adverteis the counsall halff ane yeir before his removell. . . .<sup>3</sup>

12th October 1631.

Forsuameikle as the commissioners of the borrowes that wer laitlie appointed to meitt at this burgh anent the copper money being bot ane few nomber and the mater being of such consequence as it appeired to be ane gritter burdein to theme then they wald undertak so that at that meitting nothing was concludit. Thairfore the counsall apointes ane new meitting upone the first of November nixt. [Nineteen Burghs are summoned to settle the matter.]<sup>4</sup>

21th October 1631.

[Price of tallow, 45 s. the stone; price of candles, 53 s. the stone and 3 s. 4 d. the lb.]

26th October 1631.

[Proclamation of the riding of the marches.]

Ordains letters to be direct in thair names for wairning of James Eleis

<sup>1</sup> See Appendix iv. and *supra* p. 58. An entry in the Court Book of the Regality of Broughton and burgh of the Canongate, dated March 1571-2, shows that the bailie of Broughton recognised the superior jurisdiction of the Constable-depute during the presence of the Regent in Leith. It is probable that the Burghs, not much affected by the powers of the Lord Constable, were influenced by Edinburgh for its own ends.

<sup>2</sup> Mr William King resigned upon his call to be minister of Cramond. He did not survive the change long, but died in Edinburgh in June 1633 (*Crawford*, p. 119; *Bower*, i. pp. 128-154).

<sup>3</sup> See *supra* p. 71, and *Crawford*, p. 119.

<sup>4</sup> See *A.P.S.*, v. pp. 178 and 184, and *Rec. Conv. R. Burghs*, iii. pp. 329-30. See also the entry for 7th September (p. 95) and note. The *Records of the Convention* (vol. iv. pp. 532-3) note a petition by the Burghs for the coinage of small pieces of silver "seeing there is nothing passes but dollars, and these small pieces to be different from the reckoning of England, viz.: 16 d. pieces, 24 d. pieces and 32 d. pieces."

Election  
Hepburne  
Regent.

Convention  
Borrowes  
Copper Coyne.

Warning  
Factours  
Campheir.



and Johnne Burnett, factoris in Campheir, for produceing of thair comptes of thair intromissioun with the impost apointed for defraying of the ministers stipend and thair cautioners against the sext of Mairche nixt. . . .

[Bread, 12 d. loaf to weigh 12 oz. 6 drops ; ale, 14 d. the pint.

Election of Masters of the Hospital, John Kuiblo, merchant, and James Guthrie, skinner.]

*28th October 1631.*

[William Dick and William Carnegye are appointed commissioners to the Particular Convention of Burghs anent the copper coin.]

Forsurnameikle as the lordis of his Ma. most honorabil privie counsall for eschewing of the fraud committit be the commouns in the saile of thair yairne in the shortnes of the reill and abstracting of the trew number of thrieds that sould be contenit in ilk hesp and cutt and thairfore hes ordanit all yairne heirefter to be sauld be wecht under payne of confiscatioun thairrof. Thairfore ordanis the same to be of new againe intimat to the liedges be sound of drum that nane pretend ignorance.<sup>1</sup> Yairne.

*9th November 1631.*

Forsurnameikle as the commissioners of borrowes hes appointed ane new meitting to be at this burgh the 29 of this instant in the mater of the new copper money. Thairfore ordains ane missive letter to be direct to the borrowes . . . for meitting at this burgh the said day. . . .<sup>2</sup> Missive burrowes copper money.

[A new deacon of masons is to be chosen from the leet made for the last election in place of Willliam Wallace, deceased.]

*10th November 1631.*

Agries and ordains the gras of the mure callit the Societie mure at the south syid of the south loch with the gras of the south loch as the same is closed in with water and sua to be keiped with the pasturage of the eister and wester mure and touns thairrof reserving the quarrell and wyning of stones casting of deuattis and fewall to the counsall of this burgh and nichtboures be thair licence together with the use of the said mure and lonnings in the tyme of pest (as God forbid) to be sett yeirlie and roused at Mertymes evin together and to begin this yeir. Gras Mure.

*11th November 1631.*

[Thomas Fleyming is presented as deacon of masons.]

<sup>1</sup> The matter had been remitted to the Privy Council by the Convention of Estates, met at Holyroodhouse in July (*A.P.S.*, v. p. 227). See also *Rec. Conv. R. Burghs*, vol. iv. p. 527.

<sup>2</sup> See p. 98 *supra*, 12th October.

16th November 1631.

Carmichell  
mastiff dog.

Thomas Carmichaell, merchand, being convenit for keiping ane mastife doge within this burgh and being oftentymes before dischairged frome keiping of him notwithstanding he had brocht him bak againe to the offence of manye of the nichtboures the counsall ordains the said Thomas to act him selff to putt away the said doge and not to bring him bak againe under the payne of fyve hundreth merks and to pas to waird quhill the sentence be fulfillit.

[Carmichaell bound himself to obey the above act.]

23rd November 1631.

[The council owes 9,000 merks to Thomas Speir, merchant and to John Smith 3,740 li., and, as the said Thomas requires his money, the treasurer is ordered to borrow 10,000 merks from Patrick Mauld of Panmure and to pay 9,000 merks to Thomas Speir and 1,000 merks to John Smith in part payment of their debt.]

25th November 1631.

[William Dick, merchant, and William Carnegie are appointed commissioners to the Particular Convention of Burghs on 29th instant.]

10th December 1631.

Anent the  
ressaving of the  
King.

Wheras it being constantlie reported that his Ma. intends to visit this his ancient Kingdome in the nixt spring or sommer following and the counsall considdering that of before it was inacted that his Ma. sould be ressavit in the most magnificent forme that can be devysit: thairfore appointes the Proveist, baillies, dayne of gild, thesaurer, Nicoll Uduard, Andro Simpsoun, Johnne Rynd, Johnne Macknacht, Mungo Makcall, Williame Carnegie and James Danielstoun or any sevin of theme to meitt . . . and deliberatt anent all thinges requisit to be doone at his Ma. entrie coronatioun and all uther thinges that may concerne the same and to sett doune the same in writt and to report to the counsall. . . .<sup>1</sup>

21st December 1631.

Answers  
Hay letters.

Ordains ane ansuere to be returnit to the letters sent down be Maister Johnne Hay, desyring him to doe his endeavour for staying of the patent desyred be James Acheson being so much prejudiciall to the liberties of this burgh as also for staying of Eduard Kellie his signature if he can and siclyvik for the letteris to the sessioun and counsall. . . .<sup>2</sup>

<sup>1</sup> A similar committee had been elected on 17th July 1628, when the King was expected to visit Scotland (p. 46 *supra*).

<sup>2</sup> James Acheson probably was the Town's drill master of that name.

23rd December 1631.

Quheras the Proveist, baillies and counsall considdering that heirtfore thair hes not bein sett down such ane solid course for the tryell of the maister and doctouris in the grammer scoole thair diligence in teaching and attending of the scolleris concredeit to thair caire as the trew dischaarge of thair dewtyes eache one in thair owne plaice nicht forsie and tymouslie prevein and remove all such impediments as nicht impeded the youth in their advancement in learning<sup>1</sup> Thairfore the saids Proveist, baillies and counsall hes appointed and ordanit that heirefter yeirly thair sall be tuo visitatiounes of the grammer scoole, the first to be upone the last Mononday of October yeirly and the second upone the first Mononday of Maij thairefter, and in the weik immediatlie preceeding each of the saids visitatiounes that thair be tryell taiken of all the classis be such examinaturis as salbe appointed be the counsall to that effect, viz. : one of the ministers, the principall of the colledge and such uthers as sall be appointed quho sall keip tuo dyettes for thair tryell and examinatiouns : in the first they sall visite all the inferiour classes and that everie doctour sall haive readye in writt a minut declairing what authors his classe hes hard since the last visitatioun and how much of the grammer, and sum of eache classe to be examined upone the saids authores or reulles as the saids examinaturis sall think meitt and such of the inferiour classes as ar capabill to turne a theame that thair be prescryvit ane theame to theme which everie ane of theme sall delyver to the saids examinatours. Item the second day of the examinatioun thair salbe tryell taikin onlie of the hie classe whair the maister sall produce ane nott of the authers taucht to theme since the last visitatioun ; whairupone the saids examinatours sall examyne such of the said classe as they sall think meitt and thairefter the remanent classes being dismissed the principall sall prescryve ane theame which everie ane of theme sall mak apart by himself without help of any uther and thairefter wryte it over *in mundo* and delyver it to the examinatours. And upone the saids dayes of visitatioun the Proveist, baillies and counsall, efter they have hard the heiring and the scolleris dismissed the examinatours sall mak report what they have fund in thaire tryellis and how the youth have profited in learning and thairefter sall remove first the maister and trye if any thing can be fund against him, then the doctors sall be remooved and tryell sall be taikin what the maister or any uther hes to say against theme or anye of theme and accordingle as the counsall sall find maters to goe into the said scoole to help and remeid the same and this forme to be observit yeirly in all tyme cuming and the maister ordanit that the counsall day preceeding the said weik quherin the said tryell is ordaynit to be that the maister cum to the counsall and putt theme in remembrance of the said dyett which ordinance was intimat to Maister Thomas Crawford, present maister of the said hie scoole in presens of the counsall.

Grammar  
school.

<sup>1</sup> See Steven, *History of the High School of Edinburgh*, pp. 54-6. These regulations apparently followed on Crawford's complaint of the scanty and fluctuating attendance at the school, of the need for rearrangement of the work and of some form of inspection.

30th December 1631.

[John Fleyming, merchant, one of the elders of the N.W. quarter is elected kirk treasurer.]

18th January 1632.

[The late John Byres, merchant, left 300 merks to be employed for the support of a professor of divinity.

He also left 100 li. to Trinity Hospital, either to buy land or to help to relieve the debt contracted in the purchase of land. The council order that the money be used to reduce the debt.]

25th January 1632.

[The accounts of the Masters of the Hospital for the two years of their office show the money in their hands to amount to 3,869 li. 3 s. 1 d.]

17th February 1632.

[In accordance with the instructions of the last General Convention, the Burghs of Edinburgh, Stirling, Linlithgow, Haddington, Burntisland, Kirkcaldy and Dysart are to meet in Edinburgh on 6th March to hear the accounts of the impost for the minister's stipend at Campvere.]

24th February 1632.

Unlaw  
Thomsone.

David Thomesoun, indueller in Prestounpannis, being conveynit for tredding with wyne submitted himself in the counsallis will, quhairfore the counsall unlawis him in the soume of fyftie merkis and ordains him to find caution to desist frome tredding in tyme cumming till he be maid frieman of sum frie royall borrowis and mak his residence within the same and to sell his wyne to friemen in cumulo or to transport the same.

2nd March 1632.

[William Dick and William Carnegie are appointed commissioners to the Particular Convention of Burghs on 6th instant.]

Legacie  
Kellie  
Hospitall.

Comperit James Guthrie, skynner, one of the Maisters of the Hospitall and grauntit him to have ressavit frome the relict of unquhill Mr Williame Kellie the soume of ane thousand merkis left in legacie be the said unquhill Mr Williame Kellie to the use of the poore of the hospitall of this burgh foundit at the foote of Leith Wynd.

7th March 1632.

Election  
extraordiner  
assessoris.

[The council and extraordinary deacons] considering that the inhabitantis of this burgh who hes or may have actiones depending before the Proveist, baillies and counsall ar daylie and ar lyik daylie to be frustrat of justice in



the decisioun of all thair actionnes that cumes to proces in defalt of the ordiner assessouris who being the pryme men imployed before the lordis of session be his Ma. liedges ar so bussied that they can not give such attendance as the necessitie of the people does require and being willing that some course should be taiken for furthering of justice hes thocht meit and expedient that thair be tuo persounes chosen of sufficient skill and experience in the law and common practise of this cuntry for to be extraordiner assessours to the baillies in all such actionnes intendit or to be intendit for giving thair advyse thairin to the saids baillies as they salbe requyrit and wheras such maters and questiounes sall arryse which may requyre farder advyse in that caice it is thocht meitt that the ordiner assessouris thair advyse salbe requyrit. [Therefore they appoint Mr Alexander Persone and Mr Robert Burnett, advocates, extraordinary assessors at a yearly salary of 100 merks.]

*13th March 1632.*

Forsameikle as the saids Proveist, baillies, counsall and deykins of craftis with ane gritt number of the honest nichtboures of this burgh being conveynit and regaitting that a pairt of thair grit churche which was apointed for divyne service should be applyet to secular uses and withall considering that the laick of convenient and fitt rounes within this burgh for keiping of parliament, session and counsall-hous and uther publict meittings may procure the same to be abstracted furth of this burgh to the gritt lose and prejudice of the whole inhabitants of all degries; for remeid quherof it is thocht fitt and expedient that thair be buildit and erected such spacious and necessarie housses within this burgh in such plaices as the counsall sall designe be advyse of the maist skilfull architectouris as may with eredit and conveniencie befitt the honour of the hie estaittes of justice within this kingdome. And withall considering that the sam can not be doone nor weill effectuat without the help and concurrence of the whole nichtboures and thairfore hes thocht fitt that the benevolence and cheritable dispositioun of the saids nichtboures with utheris weill affected persounes sall be tryed in maner heirefter to be condescendit upone with all diligence.

Anent the  
building of the  
Parliament  
Hous.

*14th March 1632.*

Wheras the Proveist, baillies and counsall with ane gritt number of the honest nichtbours of this burgh haiffing for the guid and common benefeit of the same condescendit and agriet that thair should be spacious and convenient rounes erected and buildit for the lordis of his Majesties counsall and session and fitting for uther publict conventiounes and that upone the benevolence of the nichtboures and uther weill affected persounes that sall willinglie contribut to so pious and religious a work and the counsall finding it expedient that the same sall presentlie tak sum beginning Thairfore they have thocht guid that first the nichtboures willingnes be tryet and that in maner following, viz. : that the haill nichtboures be conveynit in the counsall

For trying the  
willingnes of the  
nighbours to the  
building of the  
Parliament  
hous.

hous upone such severall dayes and dyettis as the magistrattis sall appoint before the saids magistrattis and such uthers as the counsall sall apoint and with thair awin hand insert in ane buik to be presentit to theme what they will willinglie bestow to the use foresaid and the said buik to be keiped be one of the saids magistrattis, and efter the said worke is finisched the said buik to be presentit to the counsall to the end such farder course may be takin for ingathering of the said contributioun and beginning of the said worke as the counsall sall think expedient and for effectuating thair of they appoint and ordayne to sitt with the saids magistrattis Nicoll Uduard, Johnne Rynd, Williame Carnegye and James Danielstoun, George Suittie, David Makcall, Gilbert Williamesoun, James Murray, Johnne Sinclare and James Cocheran and apoints and ordanis the said tryell to begin on Tysday nixt and becaus it is expected that these of the colledge of justice will not be defective in this worke thairfore it is thocht meitt that they lyikwayes be spoken for tryeing what they will contribut therto after such maner as they themeselfes sall condescend.<sup>1</sup>

21st March 1632.

Letter, Hay  
Court, shipp.

Ordains ane letter to be direct to Maister Johnne Hay for concurring and assisting with Thomas Moffett at his Ma. handis for recovering of ane schip pertening to the nichtboures of this burgh taiken of late be ane Dunkirker. . . .<sup>2</sup>

23rd March 1632.

Testimoniall.

Grantis testimoniall to George Suittie and Thomas Moffett testiefieing the laiduing of the schip callit the [ ] . . . laitlic taikin be the Dunkirkers pertenis to the nichtboures of this burgh and certane uthers Scottis merchands. . . .<sup>3</sup>

Bill of health.

Grantis bill of health to James Dauling, maister of the guid schip callit the "Margaret of Queenisferrie," laidnit with quheitt and beir<sup>4</sup> be Adam Mitchel-

<sup>1</sup> Maitland gives as the reason for beginning so great a piece of work, that the Town Council feared lest the Court of Session might be removed from the Town for lack of adequate accommodation (p. 185). In March of the previous year the Town Council had been disturbed by proposed changes concerning the Session (p. 90 *supra*). See *P.C.R.* iv., pp. 448, 449.

<sup>2</sup> *A.P.S.*, v. p. 224. The Burgh spetitioned the Estates concerning the decay of their trade and shipping occasioned by the Dunkirk privateers. The Estates, after examining the list of ships lost in that way ordered a petition to the King to devise a way for the protection of trade. The matter was discussed by the Burghs so early as 18th April 1627 (p. 24).

<sup>3</sup> *P.C.R.*, iv. pp. 452-3, 23rd March 1632. The Privy Council petitioned the King on the matter. There appears to have been grounds for the seizure, as narrated—"thair ship seized upon and tane into Ostend, where they (men of Dunkirk or others of Flanders) intend to declare the ship and goods ane lawfull pryze, under cullour of some little quantitie of flowre, talloun and other small trifflis callit be theme bastimenta, quyeticly conveyed and putt on the ship be some of the mariners without the knowledge of the merchants be whome the ship wes loadnd."

<sup>4</sup> Wheat and bear were usually forbidden to be exported. But on 31st March 1631 the Privy Council, being informed that there was great dearth of victual in England, France and Spain and other parts beyond sea and understanding that "there is sufficient plentie of wheit within this countrie, whiche not being the commoun grayne whairwith the whole lieges ar ordinarilie served may in that regarde be the better spared and ane small quantitie thair of transported abroad that by exchange of the same and profitable returne may be made ather in moneyes or other usefull commoditeis," sanctioned the export of 4000 bolls of wheat. They declared further that permission to export would be recalled "as they sall find the estait of the countrie after tryell to require."

soun, burges of this burgh, bound for Sanct Sebastianes or Bilbo in Biskay testiefeing the number of the persounes and thair health.

6th April 1632.

Wheras the counsall being advertisit be Maister Johnne Hay that thair is gritt appearance of outtred of busches in England for the fisching this yeir, and that the merchand estait of this cuntrey sould [ ] for thair pairt<sup>1</sup> Thairfore and for preveining anie incommodities may present in that mater through inlaik of outtred in the beginning they have appointed ane meitting of the borrowes to be at this burgh the tuentie-fourth of this instant . . . for taking course with the praemissis and als for the mater of Buchanes patent,<sup>2</sup> as also anent the chairtour to be expd anent the borrowis liberties and for suppressing the burghs of barronie.<sup>3</sup>

Missive  
burrowes.

Compeirit Johnne Knibloe and James Guthrie, maisters of the hospitall, and producit tua assignatiounes maid be James Dalglish, merchand, to the Proveist, baillies and counsall in favoures of the hospitall . . . ane whereby he assignis to the said hospital certane bandis pertening to him be Johnne Fleyming of Carwoode and certain his cautioners . . . and becaus thair is proces depending betwixt thame and the said Johnne Fleyming of Carwoode theranent and certain uthers his creditouris and to the effect the said proces may goe on in favour of the counsall ordains ane assignatioun to be maid in favour of Maister Frances Hay, whose name is appointed to be usit be the haill creditouris in the said mater . . . and ordains the said maisters to procure ane bakband frome the said Maister Frances anent the praemissis. As also the saids maisters producit ane uther assignatioun maid be the said James to the hospitall of ane band resting auchting to him be Lowrence Sinclare of House and his cautioners . . . with the which assignatiouns and bandis they ordayne the saids maisters to be chairgit in thair comptes.

Assignatioun  
Dalglish  
hospitall.

[David Makcall is appointed treasurer to the building of the Parliament House.]

18th April 1632.

They think fitt that the Erle of Mairschell be maid burgess and gildbrother of this burgh and thairfore ordains ane banquet to be maid to him and the thesaurer to pay the chairges . . . and with his Lordship my Lord Kilpont and James Grahame, his brother, and Johnne Keyth, brother to the said Erle

Erle Merschell  
Lord Kilpont  
James Grahame  
Johnne Keith,  
etc., burgess  
and gild.

<sup>1</sup> *Rec. Conv. R. Burghs*, vol. iv, pp. 532-3.

<sup>2</sup> *Ibid.*, Hay reported that Buchan's patent for pearl fishing was to be discharged. See *A.P.S.*, v. p. 224. But the matter was still under discussion in 1639.

<sup>3</sup> *Rec. Conv. R. Burghs*, vol. iv, p. 529: "The King being to come to Scotland and probable occasion may offer to clear the differences betwixt royall burghs and burghs of barony, therefor orders be way of preparation that ane signature be drawn ratifying all the burrows privileges and the charter granted be King David to the burrows (*Records, 1603-1626*, p. 3). See also *Rec. Conv. R. Burghs*, vol. iv, p. 536, and *A.P.S.*, v. p. 42, cap. 24.

of Merschell, and Maister James Keith, servitour to the Erle of Stratherne, Sir Johnne Blaikeder of Tilliealane, Knicht barronett, Maister Alexander Colvill of Blair, Jnstice Depute ; Williame Grahame, servitour to the Erle of Stratherne, Johnne Skene, servitour to the Erle of Mairshell and George Nune also his servitour, and Johnne Sinclare, and ordains thair names to be buiked in the gild booke.

Children  
Paul's Worke.

Wheras the Proveist, baillies and counsall haiveing for inbringing of vertew within this burgh and bringing up of young childrein buildett houses at the foote of Leith Wynd in that plaice callit Sanct Paul's Worke and being informit that sum evill disposed persounes does withdraw the said childreyne and impeds theme in thair course of vertew ; thairfore ordains proclamatioun . . . strietlie inhibiting and dischairgeing any persounes within this burgh or Leith to intyse or withdraw any of the saids childreyne frome the said worke or ressaith theme in thair houses under the payne of ten pundis and furer punischement of thair persounes at the will of the magistrattis.<sup>1</sup>

[John Maknacht and William Carnegie are appointed commissioners to the Particular Convention of Burghs on 24th instant.]

*27th April 1632.*

Hie school.

Appoints to visie the hie scoole conforme to the ordour preseryvit be the act of counsall maid the 23rd of December last for this yeir Maister William Struthers, Maister Johnne Adamesoun, principall, Maister Johnne Maxwell, Maister James Fairlie and Nicoll Uduard and the counsall to visite the said scoole upone the sevint of Maij nixt and the saids examinatours to report to theme.<sup>2</sup>

*11th May 1632.*

Schipp, Hay,  
Court.

Forsameikle as they being informit that James Hay in Kirkecaldie being cuning frome Londoun was upone the sext of this instant within tua mylles of Seaireburgh spoylled be ane warre schip belonging ather to Dunkirk or Ostend thair men robbed of thair clothes and thairfore ordains letters to be direct to Mr Johnne Hay desyring him to acquaint his Ma. heirwith and that some course may be taiken for ane frie and saive tred.<sup>3</sup>

[The weaponshowing is to be held on 6th June.]

*30th May 1632.*

Few  
Drumsheugh  
Achiesoun.

Forsameikle as the Proveist, baillies and counsall haiveing conforme to thair act of the dait the 28th of May 1630 agriet to sett in few to Johnne Scott

<sup>1</sup> See 6th September and 27th December 1626 (pp. 10 and 18). It may be noted that the first entry makes no specific mention of children, although, from the subsequent acts, it appears that the establishment at Paul's Work was intended for such.

<sup>2</sup> See p. 101, *supra*.

<sup>3</sup> See p. 104, *supra*.



of Drumeshench and peace land lyand upone the cist syid of thair calsay leidand to the watter of Leith boundit according to the said act and now sieing the said Johnne hes be his letters of dispositioun daitted at Edinburgh, Newhall and Clunye respective the fyftein and sevintein of Maij instant disponit the housses biggit be him upone the said waist land to the said Maister Johnne Achesoun and assignit the said act maid in his favoures to the said Maister Johnne and consentit and agriet that the Proveist, baillies and counsall sould accept the said Maister Johnne in his plaice and graunt unto him . . . thair few chairtour conforme to the tennour of the said act. Thairfore the saids Proveist, baillies and counsall acceptes the said Maister Johnne in plaice of the said Johnne Scott and ordanis and chairtour to be exped unto him therupone. . . .<sup>1</sup>

13th June 1632.

[John Maknacht and William Carnegie are appointed commissioners to the General Convention of Burghs at Montrose on the first Tuesday of July.]

15th June 1632.

Grantis testimoniall anent the merchandice belonging to the merchandis of this burgh being in the guid schip callit the "Cheritic" of Leith, quherof Johnne Broun is Maister taken be the Dunkirkers and tane into Ostend and whatt appertenis particularie to ilk ane of the merchandis with thair merchand merkis. . . .

Testimoniall  
Broun.

Forsameikle as Alexander Tailliefeir, merchand, being elected anseinyie beirer to the youthis of the merchandis this last mustard day and past away to eschew the same and disapointit that plaice and being demandit if he had offendit and if he wes penitent, thairfore he acknawledgit his oversicht and humblie craivit pardoun of the counsall . . . and thairfore the counsall unlawis the said Alexander in ane hundreth merkis. . . .

Unlaw, Tailfeir.

27th June 1632.

[The council and several neighbours] considdering that thair hes bein many guid constitutiones and lawis maid both be the estaittes of this kingdome in generall as also in particular be the Proveist, baillies and counsall of this burgh for suppressing of strong vagabonds, sturdye beggars and ydill persounes haill and strong in bodye and haible to worke, licentious and maisterles persounes and uthers leiving ydillie without any occupation or craft and givin over to all kynd of sin and wickednes and dissobedient to maisters and parentes and for putting of the saids persounes to work: Notwithstanding the nomber of the foirsaidis evil and ydill persounes is daylie augmentit and especiallie within this burgh and flowis hither frome all pairts of this kingdome and frome uther pairts beyond sea whair they live without any kynd of punische-

141e  
vagaboundis  
Correctioun  
hous.

<sup>1</sup> See pp. 74, 76, *supra*.

ment in all kynd of syn and wickednes procuring daylie be thair lewd and unlauffull conversatioun the wraith and displeasure of God to be powred out against this kingdome and this toun in particular for avoyding quhairof and to the end that the foresaids may be compellit to betak theme selffes to sum vertew and lauffull calling for wyning of thair leiving the saids Proveist baillies and counsall hes thocht guid to mak tryell for ane yeir following the feist of Lambes nixt of ane correctioun hous to be estaiblischt in such ane plaice within this burgh as they sall think maist meit and expedient and to this effect hes delt with sume straingers who hes bein brocht up in the lyik housses abroad in nther cuntreys and hes ordlaynit and ordanis all vagabonds strainge or sturdye beggers, ydill and maisterles persounes, strong in bodye and abill to worke, above the aige of aucht yeires and under the aige of thriescore yeires, servands dissobedient to maisters and childrein dissobedient to parents lewd leivers, common scaldis and incorrigibill harlottes not amending be the ordiner discipline of the church to be taikin be the magistrattis of this burgh and such as they sall appoint to be putt into the said hous to be correctit in maner to be appointit be the saids magistrattis, and to remayne thair so long as they salbe ordanit or continewit thairin according to thair merite and be compellit to worke such kynd of laubour as salbe appointit to theme be the maister of the said hous and ressaive such intertayniement as he sall think thair worke to deserve. . . . [Proclamation in these terms is to be made in Edinburgh and Leith, and all persons, named above, ordered to depart from the burgh and Leith under pain of arrest.]<sup>1</sup>

Maister  
Correctioun  
hous.

Forsameikle as the Proveist, baillies and counsall of this burgh hes for keiping of guid ordour within the samyn banisching of vyce and ydilnes and estaiblisching of vertew thocht guid to mak tryell for ane yeires spaice of ane correctioun hous within this burgh for punisching of all kynd of ydill persounes and lewd and ungodlie leivers and for this effect hes agriet with ane strainger skilfull in the use of the said hous and for his homebringing furnishing of toilles and instruments necessar to him and for ane yeires fiall hes agried to pay the soume of thrie thousand merkis and hes desyret the sessionis of the severall parochins of this burgh to agrie and condescend to the payment of the said soume to be payit be the present kirk thesaurer. And becaus the said soume is onlie for ane yeires maintenance and tryell of the benefeit that may redound to the commounweill of this burgh throw the said hous of correctioun and discipline therin to be used against the saids ydill and evill disposed persounes Thairfore they ordaine the said soume to be repayed bak againe to the said kirk thesaurer to be applyed to the use of the poore of the first and reddiest soumes of money that sould be gotten ather be ane general

<sup>1</sup>The King's Letters Patent for its establishment were not issued till 1634 (App. xi.). See *Book of the Old Edinburgh Club*, xvii. pp. 67. 68. There is something unexplained about the situation, for in 1626 an act of Council records the establishment of a House of Correction (pp. 10-12 *supra*), destined, it seems, for the training of the unemployed of the Town in the manufacture of woollen goods. Perhaps a clue to the mystery is the act of 18th April 1632 (p. 105, *supra*), which implies that the earlier establishment was not popular as a centre for training children in the work.

collectioun or when any uther course salbe taiken for the further establisshing of the said hous of correctioun.

Forsuameikle as the Proveist, baillies and counsall haiveing for appropriating of that pairt of the churchle now imployed to secular uses to that use quhairunto it was first dedicat and for the further flourishig of this burgh intendit to build sufficient housses both for the colledge of justice and keiping of parliament and uther conventionnes as also for his Ma. counsall and for this effect had appointed ane generall collector of such soumes as sould be voluntarie offerit be the nichboures conforme to the actes of counsall of the dait the threttein and fourtein dayes of Mairche last, which is broecht neir to ane end sua that thair restis onlie to designe the plaice or plaices whair such workes sould be erected and thairfore being convenient with ane gritt number of the honest nichtboures of this burgh they have appointed and ordanit . . . such spatious and competent rounes as may sufficientlie serve both for the parliament hous and colledge of justice to be buildit in that plaice quhair the ministers houses doe now stand as als hes appointed and ordanit . . . the said counsalhous for the lordis of his Ma. counsall with all rounes requisite to be buildit upone the hie streit above the new tolbuith in that plaice quhair now the goldsmith and skynners choppes ar presentlie to be extendit in such lenth toward the west as the necessitie of the worke sall requyre and that with all convenient diligence.<sup>1</sup>

Parliament  
hous.

29th June 1632.

[The council and extraordinary deacons order the Dean of Gild to receive Robert Young, printer, burgess, he finding caution for his payment of extents, watching and residence in the burgh.<sup>2</sup>

The extraordinary deacons consent to the acts anent the Correction House, Parliament House, etc.].

Forsuameikle as the ministers honsses pertening to the guid toun lyand on the south syid of the Grit Kirk of this burgh most be dimolischit and taken down to the effect that the parliament hous and sessionn hous may be buildit in that plaice as onlie plaice thocht meit and designit for that effect quhilk is thocht to bring ane burdeyne upone the commoun good for payment of sa mony ministers and the reider of the gritt kirk thair stipends as duelt within the samin yeirle in tyme cuning Thairfore the Proveist, baillies and counsall hes thocht guid and expedient for releiff of the commoun guid of that burdoin in tyme cuning to ordayne lyik as they be the tenour of this present act ordanis

Parliament  
hous.  
vjm lib.

<sup>1</sup> See 14th March (p. 103, *supra*). Although not stated above, it is possible that the King had begun already to put pressure on the Council to restore St. Giles to one church. It is certain that the suggestion would not have come of themselves.

<sup>2</sup> Robert Young, printer and citizen of London. In 1633 the Parliament remitted to the Lords of Exchequer the consideration of the gift granted to him to be sole printer to the King in Scotland for twenty years after the date of the gift, 12th April 1632. Janet Kene, widow of Andrew Hart, printer burgess of Edinburgh, had petitioned that the gift might be either recalled or limited (*A.P.S.*, v. p. 52).

the soume of sex thousand pundis usuall money of this realme to be taikin of the first end of the collectioun that salhappin to be collectit fra the inhabitantis of this burgh for building of the said parliament and sessioun honsses and delyverit to Wm. Gray present thesaurer of this burgh and imployed be him and his successours in his said office upone landis or annualrents and the yeirlie annuallrent thair of in all tyme cuming to be allotted onlie for payment of thair ministers and reider of thair said gritt kirk thair housmailles. . . .

*11th July 1632.*

[Collectors are appointed for the first term of the contribution for the Parliament House.

John Campbell is received burgess at the request of Lord Lorne.

Correction  
hous.

A committee is appointed for] repairing of the hous of correction and provyding of all materialles and necessars for advancing thair of.

*20th July 1632.*

[The sum of 400 merks is allotted to each minister and the principal as gratuity.]

Unlaw  
Maistertoun  
repayit.

Ordains the thesaurer to repay the soume of fourtie pundis money as unlaw incurrit be Archibald Maistertoun at desyre of Maister Williame Wischert minister at Leith. . . .<sup>1</sup>

Murray  
B. and gild.

Forsameikle as at direction of the Proveist, baillies and counsall the deane of gild past and ressavit Walter Murray, spous to Bethia Guthrie, burges and gildbrother of this burgh . . . thairfore . . . ordanis his name to be insert in the gild locked buik and the . . . soume to be repayed bak againe.

*25th August 1632.*

Ord  
Postmaster  
Leith.

[James Ord in Leith is appointed postmaster there] with provisioun that he furneis sufficient hors betwixt Leith and Edinburgh for tua schillingis scottes and ordains the baillies of Leith to caus him be obeyed be the rest of the staiblers thair.

Correction  
hous.

[After rehearsing the determination to establish a Correction House and the loan obtained from the Kirk treasurer, with consent of the sessions, for equipping it and for support of a master for one year]<sup>2</sup> considdering that Williame Stansfeild indueller in Walkfeild in England had for keiping and governing of the said hous with whome they had transacted and agriet in maner and conforme to the conditionnes heirefter expressed repairit with his whole familie to this burgh Thairfore thai have allotted and be thir presentis allottes for his duelling hous the eistmost corsehous in Sanct Paul's work, and for the said hous of correction the tua eistmost housses upone the south syid of the clois of the said worke

<sup>1</sup> A skipper in Leith, fined on 20th June for selling wine, figs and raisins retail in that town and not offering the whole cargo to the Burgh.

<sup>2</sup> See p. 107, *supra*.



and ordanis the saids bounds to be inclosed with ane dyik frome the eistmost gavill of the hous buildit with the kalander mylne to the west gavill of the said tua eistmost housses and the saids housses to be staineched with yron stainechellis for keiping in of the prisoners and the north dyik of the said clois with the dyik upone the south of the cisterne to be heichted and the expensis to be debursit herupone to be allouit to Johnne Fleyming present kirk thesaurer in his comptes with the expensis and chairges for making and provyding of all furnitur necessar to the said hous to be delyverit be him to the said Williame Stansfeild upone inventar as lyikwayes ordanis him to pay to the said Williame for his fiall frome the first of Julij last till the first of Julij nixt 1633 yeires the soume of fourscoir ten pundis sterling at four aequall termes in the yeir beginning the first termes payment presentlie and to pay to the said Williame and his spous the soume of ten pundis sterling presentlie . . . upone provisioun and speciall condition always efter following, viz. :

First that the said Williame salbe obleist to ressaive into the said hous of correctioun all such persounes as salbe sent unto him be the magistrattis and sall use such discipline and correctioun upone theme as is used in anie correctioun hous els quhair or as the magistrattis sall appoint theme to ressave provyding the number of prisoners exceid not the number of fyftie at one tyme upone his owne chairges.

Item he sall provyde upone his owne chairges servands and find meanes sufficient to set on worke the saids persounes, also he sall upone his owne chairges find such competent dyett to the hail prisoners as he in his discretioun sall think they deserve at the sight of the magistratt.

Item he sall upone his owne chairges repaire and amend all the toolles instruments and implements for working and bedding and yrnis for prisoners so often as neid sall require and if there be necessitie of renewing of theme the same to be provydit for be the counsall.

Item he sall ressaive into the said hous over and above the number foresaid if the said hous can conteyne theme all such other young or old as the magistrattis sall send to him to ressaive imprisonment for four or fyve days and corporall punischement in such sort as the magistrat sall expres and apoint.

Item he sall keip ane Register buik and therin sall insert als weill the cuming or release of any prisoner as also the proceedings of the magistrattis or uthers whome the counsall sall appoint at thair severall meittings thair ather for punischement or inlairgement of prisoners or utherways quhairby the succeding magistrattis may be informit of the estait of the hous and prisoners and that the said maister may be therby discharged of anie prisoner that salbe committit or delyverit thence.

Item he sall tak caire that the prisoners goe not abroad bot that he keip theme close at thair worke and sall appoint one of his servandis on the Sabbath day to reade the prayeris.

Item give anie generall seiknes or infectioun salhappin amongs the prisoners in the said hous of correctioun that then the said maister salbe obleist of his owne chaiges to releive and mantein theme so long as the seik exceed not the number of sex persounes at one tyme for the spaice of tuo or thrie dayes and if thair salbe above that number at one tyme that then the counsall sall tak ordour for releif or dimissioun of suchlike persounes as they sall think fitt.

Which conditionnes abonewrittin the saids Proveist, baillies and counsall ordains to be drawin up in ane band and the same to be subscriyvit be the said Williame to be keiped and observit be him and for the redelyverie of the haill toolles and instruments both for the said hous and yrons with the cloaths and bedding and all uther things furnished to him conforme to the inventar to be maid and subscriyvit be him.

The same day forsamikle as the Proveist, baillies and counsall hes for restrayning of beggars appointed ane Correctioun hous Thairfore thair ordayn the haill constabillis of this burgh to tak and apprehend all such ydill maisterles persounes and sturdie beggers young or old and to bring theme to the laich tolbuith to be presented to the Magistrattis that thereafter the ordiner course for sending of theme to the Correctioun hous may be taikin and ordains such constabillis as salbe fund neglective in this point to incure ane unlaw of fyve pundis toties quoties as also ordains the haill officeris of this burgh to concur with theme in the executioun of this present act and all uther nichtbourres beand requyred be theme under the payne to be punished be the magistrattis in thair persounes and guides And for purging of the toum of Leith ordains the constabillis thair lykwayes to apprehend all ydill persounes and sturdie beggers and to putt theme in waird thair till thair magistrattis sall examyne theme and the saids persounes to be sent with the officeris to the tolbuith of this burgh with ane nott under thair hand of thair falt and qualitie that thereafter the baillies of this burgh may send theme to the correctioun hous to ressaive punischement.

*29th August 1632.*

[The council and extraordinary deacons, by virtne of the Act of Parliament of June 1592 against unfreemen traders,<sup>1</sup> appoint William Gray, present treasurer, their commissioner and collector to escheat the goods of unfree traders and to bring all disputed cases before impartial bailies-depute.

By virtue of the same act they appoint Mr Alexander Persoun and Mr Robert Burnett, advocates, bailies depute to hold court in the matter of unfree traders.]

<sup>1</sup> *A.P.S.*, iii. p. 578, cap. 74, wherein it was granted to every free burgh or the commissioner appointed by them to search for the goods of unfree traders, to intromit therewith as escheat and to deliver half to the Lord Treasurer and to keep the other half. The act excepted from these conditions nobles and other landed men bringing home goods to their own use. There appears to be no earlier reference in the Burgh Records of the appointment of a collector for the purpose.

12th September 1632.

Appointes ane meiting of the borrowis to be at this burgh the twelft of October nixt for treatting and concludung anent such maters as does concerne the borrowis and especiallie for taking ordour anent the coyne and overtoure of bas money proponit to his Ma. maid theranent and anent small money for exchainge <sup>1</sup> Item anent the burghis of baronnie and signature of the liberties of the borrowis <sup>2</sup> Item anent Buchanes patent anent the perle <sup>3</sup> Item anent the constabill <sup>4</sup> Item anent the fisching and advancement of his Ma. intencion theranent <sup>5</sup> Item anent ane course to be taiken anent the act of parliament anent maltmen <sup>6</sup> Item for prosecuting the letters raised against Seyfort <sup>7</sup> Item anent Sir Johne Hay his chairges and payment thair of to the burgh of Edinburgh <sup>8</sup> and last for taking course for obteneing the plaiding to be presentit to the mereat in folds <sup>9</sup> and ordains missive letters to be direct for conveyeing of the burghs of Perth, Dundye, Abirdein, Stirling, Lynlithgow, Sanct Androes, Glasgow, Aire, Haddingtoun, Montrose, Dysart, Kirkealdy, Coupar, Anstruthers Eister and Wester, Dumfreis, Bruntyland, Kinghorne, Inverkeithing, Jedburgh, Pettinveyne, Dumfermeling, Selkirk, Dumbar, Lanerick, Abirbrothok, Elgyne, Peibles, Caraill, Culros and Bamff, and requyring of them for sending thair commissioners sufficientlie instructed anent the haill premissis and all uther things under the payne of fourtie pundis ilk burgh.<sup>10</sup>

Convention  
borrowis.

14th September 1632.

His Ma. letter produced be my lord Proveist signifeing his pleasure that in the electioun of the deacones of trades and thair counsallers they sould mak choice of non bot such as ar handie labourers, chopekeipers, users of thair trade and best skilled in thair craft, daitted at Beulye, the fyftein of August 1632.

King's Letter.

21st September 1632.

[Election of extenter. These are ordered to extent for 10,000 li., being the third term of the King's ordinary and extraordinary tax granted by the estates in July 1630, as also for 10,000 merks for relief of the common good, with 1,000 merks for costs of collection and deficiencies, making in all 26,000 merks. The extenter are to make haste with their work so that the tax may be levied in time and delivered to the new bailies.]

<sup>1</sup> See pp. 95, 98, 99, *supra*. <sup>2</sup> See p. 105 *supra*. <sup>3</sup> See *Ibid*. <sup>4</sup> See p. 97 *supra*, and *P.C.R.*, iv. pp. 584-5. <sup>5</sup> See p. 105 *supra*. <sup>6</sup> This may refer to the act of the 1st Parliament of James VI. forbidding the maltmen to have deacons (*A.P.S.*, vol. iii. p.33, cap. 37). <sup>7</sup> See index for references to the Earl and to Stornoway. <sup>8</sup> See p. 79 anent payment of his expenses. He had been knighted by King Charles probably during his last visit to London. <sup>9</sup> See *A.P.S.*, v. p. 225. <sup>10</sup> On this occasion thirty-three out of fifty-eight royal burghs were summoned. Those exeluded were chiefly the burghs of the south and west and the extreme north.

28th September 1632.

Tak  
Win. Dick  
brewhoussis.

[The council and extraordinary deacons] agries to sett in tak and assedatioun to Williame Dick the haill housses and buildings callit the aile and beir brewhousses with the killes and barnis pertening thairto and uther pertinentis conforme to the former tak sett to him of before for the spaice of fyve yeires nixt and immediatlie following the outtryning of the former which is the 29th of this instant for the soume of foure thousand merkis to be payit yeirlie to the thesaurer. . . . with provisioun alwayes that incaice the said Williame salbe pleased to give over the saids housses at the ischew of tua yeires he salbe no longer obleist to keip the same he making premonitioun foure monethis before the expyring of the saidis tua yeires.<sup>1</sup>

2nd October 1632.

[Council for the year 1632-33 : *Provost*, Alexander Clerk of Stentoun ; *Bailies* Johnne Sinclare, Williame Gray, James Murray, George Baillie ; *Dean of Gild*, Nicoll Uduard ; *Treasurer*, James Loch ; *Council*, Sir Williame Nisbett of the Deane, Williame Dick, Thomas Chairteres, Robert Achesoun, John Smith, Joseph Merjoriebankis, Johnne Maknacht, Gilbert Achesoun, Alexander Broun, Robert Fleyming, Johnne Hilstoun, Gilbert Kirkwood, Richard Maxwell ; *Deacons of Craft*, Thomas Quhyt, armorer, James Danielstoun, goldsmith, Johnne Spang, surgeon, Robert Miklejohnne, skinner, Walter Gibsoun, tailor, George Crawford, shoemaker ; *Extraordinary Deacons*, Archibald Watterstoun, furrier, Alexander Cleghorne, wright, Thomas Patersoun, mason, Thomas Stenhops, baker, Robert Andersoun, flesher, Archibald Wright, weaver, Daniell Robertstoun, waulker, Alexander Somer, bonnetmaker.]

3rd October 1632.

[Water bailie, David Richardsoun ; baron bailies of Leith, David Richardsoun and Charles Hamilton.

Commissioners to the Particular Convention of Burghs, William Dick and James Danielstoun. The Provost, bailies, dean of gild, treasurer and six others are appointed a committee to confer with them as to the fishing and other matters contained in the missive and also as to the barony of Broughton.]

19th October 1632.

[Proclamation for the riding of the marches at Hallowe'en.]

26th October 1632.

[Masters of the hospital, Johnne Kniblo and James Guthrie, skinner.]

2nd November 1632.

[Price of the stone of tallow, 45 s. ; price of the stone of candles, 53s. ; the pound of candles, 3 s. 4 d.

Price of bread, 12 d. for the loaf of eleven ounces, three drops.

Price of ale, 16 d. the pint ; beer, 20 d. the pint.]

<sup>1</sup> See p. 38, *supra*.



7th November 1632.

Forsamikle as the Proveist, baillies and counsall haiveing caused . . . thair thesaurer to tak frome George Logane indueller in Leith the number of ane thousand dailles brocht home be him in the moneth of August last and the counsall considdering that he being ane unfrie persoun who be the lawis of the cuntrey is prohibited to use any kynd of traide under payne of escheitt and thairfore the saids dailles aucht to be confiscatt and escheitt the ane halff to his Ma. use and the uther halff to the use of the Guid Toun And the said George being now sensibill of his wrang and oversicht gaive in supplicatioun and submitted himself in the counsallis will with the which the counsall being advysit they decerne the haill dailles escheitt the ane halff therof to be applyed to the use of the Guid toun and this sentence pronounced in presens of the said George who lykwayes produced ane warrand subscryvit be my lord Traquair, daittit the nynt of October last, willing the said Williame Gray to deliver his Ma. halff of the saids dailles And thairfore ordains the said Williame to delyver the same conforme to the said warrand and to be chairgit with the other half in his comptes.

Logane  
dailis  
unlawit.

9th November 1632.

Ordains Williame Gray to deliver to George Logane in Leith fyve hundreth dailles intrometted with be him and confiscatt to the guid tounes use and this in respect of the said George his supplicatioun and obedience and ordains the said George of his owne consent to find caution this day aucht dayes to desist frome using ane friemans traide in tyme cuming till he be maid frie in sume of his Ma. frie royal borrowis under the payne of fyve hundreth merkis.

Logane  
dailles  
Leith.

23rd November 1632.

Forsamikle as it being come to the knowlege of the Proveist and baillies that the Erle of Lynlithgow had procured and signature frome his Ma. for uplifting tua schillings scottes of ilk tun of coale and salt transported furth of Lawthian firth <sup>1</sup> betwixt the brigges of Stirling and Berwick since September 1627 and in tyme cuming for nyntein yeires for the which they did appoint ane meitting of the burghis of Lynlithgow, Stirling, Haddingtoun, Culros, Bruntlyland, Kinghorne, Kirkcaldie, Dysart, Carail, Anstruther Eister, Sanct-androes to be at this burgh this efternoone, and ordaynit thair clerk to write in name of the counsall to theme to that effect Thairfore appointes and elects Williame Gray and James Dennielstoun commissioners for theme for meitting and concluding with the rest of the borrowis foresaid theranent As also anent the overtures sent down be his Ma. in the mater of the coyne As lyk-

Conventioun  
borrowis  
tun coalles  
salt.

<sup>1</sup> See *P.C.R.*, vol. iv., p. 570. Alexander, Earl of Linlithgow presented before the Privy Council the King's gift of the duty above mentioned. The reason seems to have been that the Earl had engaged to build and maintain a fort on Inebgarvie. The Council judged it unnecessary to inform owners of coal and salt before the passing of the gift.

wayes appointes Johnne Sinclare, Williame Dick, the deyne of gild, Thomas Quhytt, David Makcall, David Junkin, George Suttie, Johnne Fleyming, Peter Blaikburne and Patrik Wood to meitt and confer theranent.

*28th November 1632.*

[Legacy to the hospital of 200 li. by the late Margaret Prestoun, widow of Patrik Eleis.]

*30th November 1632.*

Missive letter  
borrowis  
coyne.

Forsamikle as the lordis of his Ma. privie counsall hes appointed the tent of Januarij nixt for taking ordour anent the overtoures sent down be his Ma. anent the abuses of the coyne<sup>1</sup> and for cryeing in of the dolloris to thair just availe according to thrie pund four schillings the unce of silver of ellevin dynneir fyne Thairfore ordains missive letters to be direct to the burgis of Perth, Dundye, Abirdein, Stirling, Lynlithgow, Sanctandroes, Glasgow, Aire, Haddingtoun, Montrose, Bruntlyland and Kirkcaldye for requyring theme to send thair commissioners sufficientlie instructed anent the premisses the aucht of Januarij nixt with continuatioun of dayes.

[Mr Archibald Douglas, one of the doctors of the High School, resigned his post, Mr James Adamesoun was admitted in his place.]

*14th December 1632.*

[A legacy to the hospital of 300 merks by the late Johnne Hamiltoun, merchant.]

The counsall recenting the gritt and apparent decay of this burgh occasioned cheiflie be the confusioun and abuses of traid and being cairfull that the same may be remedyit and the abuses and errors neirlye ryppit out Thairfore they have apointed and appointes Johnne Sinclare, baillie, George Suttie, merchand, Peter Blaikburne, merchand, Edward Ferquhare, merchand, Gilbert Williame-soun, merchand, and David Jonkein, merchand, Thomas Quhytt, hammerman, and Robert Miklejohnne, skinner, to treatt and confer anent the premissis and ordains theme to conveyne amongst themeselfis and to narrowlie searche and find out the saids abuses and lay open the same and to acquaint the counsall with thair opinionones not onlie anent the reforming thairof bot also with quhat can come to thair knowledge that may tend to the enlairgement of Traide and ordains the said Johnne Sinclare to conveyne the remanent persounes abovewrittin and to caus theme apoint thair dyettes and to report ilk counsall day anent thair proceedings.

Ordains the thesaurer to give to the burgh of North Berwick for help to the reparatioun of thair herbarie the soume of tua hundreth merkis.

<sup>1</sup> *P.C.R.*, iv. 521. The King sent to the Privy Council on 27th July, overtures made by John Acheson, Master of the Scottish Mint. Copies were ordered to be sent to the provost and bailies of Edinburgh to discuss till the first Privy Council meeting in November. On 4th December summons was issued to the Lords of Privy Council to attend on 10th January 1633 anent new proposals. On 6th December, Nicolas Briot "chief graver of his Majesteis Mynt in England," submitted his proposals.

19th December 1632.

[The extraordinary deacons consent to the grant to North Berwick.]

21st December 1632.

[Thomas Weir is elected deacon of furriers.]

28th December 1632.

[Patrik Baxter, elder of the S.W. parish, is elected Kirk treasurer.]

2nd January 1633.

[John Sinclair and James Danielstoun are elected commissioners to the Particular Convention of Burghs on 8th instant.]

4th January 1633.

[The council and extraordinary deacons] ordains the thesaurer to pay to my Lord Halyrudhous for the bygainne valued teind of the Greynsy'd and of that portioun of the auld muire besyid Symmie Rolloks chaiple and of that pairt lyand frome the societie port to the Borrowloch the soume of tua hundreth merkis. . . .

Halyrudhous  
valued  
teynd.

[Thomas Mauchan and Robert Dagleish are appointed bellmen. Upon the death of either of them the council reserve power to appoint another bellman.]

11th January 1633.

[The council with a number of the neighbours being met], Quheras it being impairtit to the counsall that his Ma. hes renewed his former resolutionn for cuming to this kingdome which being lyikwayes communicat to ane gritt number of the nichtboures of best qualitie Thairfore efter mature deliberatioun taikin theranent they all in ane voice resolved concludit and ordanit that his Ma. salbe ressavit within this burgh in the most magnificent maner that can be devysit as salbe sett down be the Proveist, baillies and counsall and uthers to be deputed be theme And forsamikle as the same with the propyne to be given and banquet to be maid to his Ma., Nobilitie and followers and uthers expenses incident to his Royall receptioun will extend to gritt soumes of money which the commoun guid of this burgh is not abill to beir Thairfore ordains the same to be taikin of the nichtboures of this burgh be extent And becaus the said extent can not be presentlie sett nor the soumes of money be knawin that ar to be debursed nor quhatt the expensis thair of will extend to Thairfore ordains the thesaurer to deburse such soumes of money as salbe thoct fitting and ar to be expendit in maner abovewrittin And ordains money to be borrowit upone profeitt for defraying of the saids chairges and whatsumevir is to be expendit that way and for releiff of the saids soumes to be borrowit ordains ane extent to be sett upone the nichtboures of this

King's  
cuming.

burgh for releiff and repayment of whatsumevir soumes of money salbe expendit or imployit be the thesaurer to that effect conforme to the comptes to be givin in be the thesaurer theranent and the annualrents of the same and that by such proportiounes and pairtis as salbe sett doun be the Proveist, baillies and counsall and deacones of crafts of this burgh as salbe fittest both for thair releif and the commoun guid and the ease of the nichtboures.

Magistrands  
College.

Forsamikle as the counsall being certainlie informed of the magistrands which is the heichest clas in the colledge so soone as the regent hes endit all he hes to teache theme for compleittin the course of teaching when they sould repeitt and prepaire themeselfes for their examinatiouns and laureatioun They debord and break all ordour to the evill exempill of the rest of the classes Thairfore for remeid heirop they have statut and ordaynit . . . that ilk ane of theme that salbe fund absent ather in the morning before noone or efter-noone during the saids repetitiounes without leive askit and givin be the principal or his regent sall pay for ilk tyme the soume of eicht pennyes which they ordaine the principall to uplift and to applye the same for augmentatioun of the librarie and in the visitatioun following to give acompt of the same.

*12th January 1633.*

[A committee is appointed to make the arrangements for the King's reception.]

*14th January 1633.*

[The extraordinary deacons ratify the act of 11th instant anent the King's reception.]

*16th January 1633.*

Precept  
thesaurer  
Schairpe.

Ordains the thesaurer to pay the soume of tua hundreth merkis to maister Johnne Schairpe for his hous maill yeirlye during the counsallis will. . . .

[The masters of the hospital acknowledged receipt from the executors of James Wynrahame of Libertoun of 500 merks for the hospital.]

*18th January 1633.*

Constituttis Maister Johnne Diksoun, procurator, procurator-fiscall of this burgh, in all actionnes belonging to the toum during the counsallis will in plaice of umquhill Maister Josua Henrysoun laitlie deceased. . . .<sup>1</sup>

*1st February 1633.*

[The baillies' accounts for the first term of the extent were audited, showing a balance due to the Town of 611 li. 16 s. 8 d. Their accounts of the fines show 108 li. 14 s. due to them.]

<sup>1</sup> Henryson had held office since October 1612 (*Extracts, 1604-1626*, p. 89).



Ordains David Makcall to pay to James Murray, Maister of Worke to his Ma., for his bygane travellis takin be him in the Tounes workes and for drawin of the modell of the workes of the parliament and counsalhous presentlie intendit the soume of ane thousand pundis. . . .

Precept  
thesaurer  
Murray.

Compeirit Johnne Fleyming and producit ane compt of the whole instrumentis and uthers thinges furnished be him to Williame Stanisfeld Maister of the Correctioun hous whair of the said Williame compeirand grantit the ressait and obleist him to mak the samyn furth cuming conforme to the band maid be him to the Guid Toun.

Instruments  
Stanisfeld  
Correctioun  
hous.

*14th February 1633.*

Haiving appointed ane counsall and exchakquer hous to be buildit for his Ma. upone that plaice above the new tolbuith whair the skynneris and goldsmith choppes ar and so far westward upone the hie streit as salbe thoecht expedient and finding these houses to be ruinous and the plaice unpleasant as the samin is and not beseaming the credeit of the Toun now at his Ma. entrie Thairfore they ordaine the saids buithes to be rased to the grund and that pairt of the streitt maid voyd and the pagin<sup>1</sup> now standing at that plaice to be set at the end of the said new tolbuith. And to this effect ordanis David Makcall, thesaurer to the said worke, to begin and tak down the same the first Monenday of Mairche nixt and the expensis thairof salbe allowit to him in his comptes.

Skynners and  
goldsmiths  
choppes taken  
down.

Forsamikle as the counsall hes ordanit the goldsmith and skynners choppes above the new tolbuith to be rased to the grund Thairfore assignis to Margaret King, George Foulles, younger, Gilbert Kirkwood, Williame Warrock, skynner, Johnne Andersoun, Thomas Allane, Thomas Pargilleis, Johnne Grahame, Fraunces Bowie and Thomas Weir, skynneris, to remove of thair owne consent betwixt and the first day of Mairche nixt.

Removing  
goldsmiths  
skynners.

*8th March 1633.*

Consentis that the landis underwrittin lyand in the parochin of Kirkurd be valued for thair personage teinds in maner underwrittin, viz., these tuentie-aucht oxingait of land of Nether Kirkurde with the mylne and mylnelands extending to ane oxingaitt of land pertening to Mark Hammiltoun Item these four oxingaitt land of Bryland pertening to Thomas Weir of Newtoun and Johnne Weir his sone Item ane peace of land callit the Sunny aiker pertening to Ritchard Davidsoun, estimatt to halff ane oxingaitt of land lyand within the toun of Nether Urd Item these thrie oxingaitt of land of Loehurde with ane peace of land callit the Kaine aiker, estinnat to ane half oxingaitt, pertening in wadset to the said Marke Item ane oxingaitt of land pertening to James Hammiltoun of Quotquott extending in all to threttie aucht oxingaitt of land

Valuation  
lands  
Kirkurd.

<sup>1</sup> The pagin or pageant was probably the moveable stage or platform stored by the city and used on such occasions for the theatrical representations intended for the King's welcome.

that ilk oxingaitt of the saids landis salbe valued raitted and allowed to be worth presentlie and yeirle in tyme cuming in constant rent of personage teind ane flrlott ane peck tua fourt pairts and halff ane fourt pairt meill and threttie-fyve schillings ane penny money extending in all to threttein bolles thrid pairt boll meale and ane hundreth merkis money by and attour the said meale and that without any deduction of the fyft pairt for his Ma. ease.

15th March 1633.

[The council and extraordinary deacons elect Joseph Merjoriebankis, old dean of gild, to be dean of gild in place of the late Nicoll Uduard. They also elect Johnne Maknacht to be old dean of gild.]

Missive letter  
clerk register.

Ordanis ane missive letter to be direct to the clerk of register<sup>1</sup> earnestlie intreatting his L. to deale with his Ma. for dischairging of Sir Williame Seytoun frome incrotingh npone the liberties of this burgh be ane pretendit gift of postmaistership and apointing of postmaisters in anie of the burghis and to procure the same to be dischairged. . . .<sup>2</sup>

20th March 1633.

[An agreement is reached with Lord Balmerino anent the valuation of the parsonage teinds of the Coatfield lands, purchased for Heriot's Hospital.]

27th March 1633.

Slm  
burges  
gratis.

Ordanis the deane of gild to admit and ressaive Gawin Sym, painter, to the libertie of ane burges gratis without payment of anie thing and that at the earnest desyre of the Lord Lorne.

29th March 1633.

[The masters of the hospital acknowledged receipt from] James Sinclare of Scalloway and James Sinclare of Quendall the soume of tuelf hundreth pundis agried upone betwixt the counsall and him for the principall soume of ane thousand pundis and the byrun annuellis thair of addebtet be him as ane of the cautioners of Lowrence Sinclare of Hous to James Dalgleisch, merchand, and which band the said James assignit to the guid Toun to the use of the hospitall. . . .<sup>3</sup>

<sup>1</sup> Sir John Hay, Town Clerk, who had been appointed Clerk Register on 12th December 1632 in place of the late Sir John Hamilton of Magdalene, Kt. Balfour, who was no friend to Hay, characterises him as "one altogether corrupte, full of vickednesse and villaney and a suorne enemy to the peace of his countrey" (vol. ii. p. 193). But Balfour and Hay were on different sides. See *P.C.R.*, iv. p. 590-1 for his appointment as Privy Councillor and Clerk Register.

<sup>2</sup> The grant to Sir William Seton seems to have been in existence in 1631, for on 3rd November the Privy Council recommended him to provide orders to the postmasters for the sure and speedy despatch of his Majesty's packet, both anent the postmasters constant residence at their places and their keeping a register of the receipt of packets, as also the punishment of specified offenders (*P.C.R.*, iv. 349). The Parliament of 1641 ratified the gift to Seton of general postmaster, as conferred by James VI. in 1623 (*A.P.S.*, v. p. 637). The exceptions to his jurisdiction were the burghs of Burmtisland and Kinghorne.

<sup>3</sup> See p. 105, *supra*.

3rd April 1633.

[John Sinclare, bailie, and Gilbert Kirkwood, goldsmith,<sup>1</sup> are appointed commissioners to the Parliament to be held in June next, as also to the Convention of Burghs appointed to meet before the Parliament. A committee of thirteen, including the Provost and bailies, is to assist them.]

Forsamikle as the counsall for the tyme haiving agriet with Johnne Burdoun, merchand, for furnising and serving of his Ma. desert and then advanced to him the soume of thriescore pundis sterling conforme to the band maid be him theranent of the daitt the fourt day of Februarij 1629 yeires which band wes delyverit to the thesaurer for the tyme and the thesaurer chaired therwith in his comptes Together with ane other note of certan articles then agried upone And now seing the counsall hes agriet with the said Johnne of new and hes continewit the said soume of thriescore pundis sterling in his handis conforme to his band of new givin in theranent Thairfore they ordaine the former bandis to be cancelled and Williame Gray to be dischaired therwith in his comptes And ordanis James Loch to be chaired with the said new band and siclyik ordanis the said James to pay to the said Johnne Burdoun the soume of tuentie pundis sterling and the same salbe allowit to him in his comptes and to be advanced to him at Londoun the exchainge quhairof sall lyikwayis be allowit to him.<sup>1</sup>

Descart  
Band  
Burdoun.

5th April 1633.

The counsall finding the hie streittes and publict vennellis of this burgh to abound with all kynd of filth to the reproche of the Toun when straingeris does repair to the same for remeid quherof it is statut and ordaynit that non presume nor tak upone hand to hather the said filth or middings in anie plaice within this burgh under the payne of fyve pundis and farder punischement of thair persounes at the discretioun of thair Magistrattis And that all nicht-boures that sall have any filth or dirt to cast furth of thair houses that they put out the same before thair durris before sex hours in the morning ilk day certifeing all such as sall cast furth anye filth after the said tyme sall incur ane unlaw of fyve pundis toties quoties and siclik dischaarges all persones for casting out thair drye saittes upone the hie streittes or vennellis bot that thai carye the same under nicht to remote and convenient plaices out of the sight of the people under the payne of fyve pundis toties quoties and ordanis this statute to be intimat throw this burgh that nane pretend ignorance.

Middings.

Forsamikle as it is statut and ordaynit that all the filth within the houses of this burgh be cast furth before six houres in the morning and that nane gather nor keip the same within anie plaice within this burgh. Thairfore ordanis the baillies to agrie with sum honest man for keiping ane horse and kairt to goe through the toun and taking up of the filth cast furth of the houses of this

Caryeing  
muck.

<sup>1</sup> See *South Leith Records*, vol. i., p. 29.

<sup>2</sup> See p. 53 *supra*.

burgh As also because the said kairt cannot goe commodiouslie thurche everie vennell Thairfore ordanis other persounes to be apointed be the baillies to pas with quheill barrowis through the saids vennellis and to carye the same to the foote or heid of the saids closses to be caryet away af the commoun streitt and the expensis debursit therupone salbe allowit to theme in thair comptes.

10th April 1633.

[The general missive for the General Convention of Burghs at St. Andrews in July was produced.

The money, collected by the late Nicoll Uduard for the first term of the voluntary contribution for the building of a Parliament and Session House, etc., was produced by Thomas Charteres, amounting to 2050 li. 7 s. 10 d.]

Discharge  
weiring of  
plaids.

Forsamikle as the Proveist, baillies and counsall haiveing divers tymes of before prohibite the weiring of plaids being ane habite verie uncomlie wherby som dolous and unlawfull persounes ar covered and can not be decerned frome utheris Thairfore it is statute and ordanit that no persounes of quhatsumevir degrie or qualitie presume efter Monouday nixt the fyftein of this instant to weir anie plaids upone the hie streittes or within the churches of this burgh under payne of punischement of thair persounes and escheitt of the saids plaids and declaires the saids plaids not onlie to be subject to be taiken be such persouns as salbe apointed to that effect bot to be frie to be taiken as escheitt be quhatsumevir persounes can challenge the same with powar to the saids challengers to tak the same in thair owne hand and to dispone therupone at thair pleasoure as thair awin proper goodes.<sup>1</sup>

12th April 1633.

Missive, Hay  
Court.

Ordanis ane missive letter to be direct to Sir Johnne Hay, Lord Register, schewing his Lo. of the Erle of Erroll his journey to Court and how that the counsall is informit that the said Erle intends to procure himself fullie posset in the constabularie as anye of his forbeires had the same and to incroteche especieallie upone the Toune And thairfore to desyre him to acquaint his Ma. as occasioun sall offer therwith and to remember his Ma. of the former letter wherin his Ma. hes willed the mater to lye over to the nixt parliament and to impd anything may pas in the Tounes prejudice,<sup>2</sup> wheranent to intreat his Lo. to do his best indeavoures and wheranent and quhatsumevir may procure and lett to his intentiounes the counsall gives his Lo. full powar and

<sup>1</sup> This is the third time that the same order was made (see pp. 47, 91). The presumption is that it was entirely disregarded. The Privy Council endorsed the proposal (*P.C.R.*, v. 50).

<sup>2</sup> See Appendix iv. *P.C.R.*, v. pp. 59, 60 give a probable reason for the Earl's journey to Court. For it is stated that, in the instructions for the King's coronation, neither the Earl nor his office was mentioned. The Privy Council therefore wrote begging that the Earl might have his due privileges at the ensuing ceremonies. In a letter of 11th May, the King sanctioned their request in what was "justlie dew unto his place" (*Ibid.* p. 102).



commissioun, and to recommend all thinges that sall occur whairin they may be interest and to shew his Lo. how they intend to acquaint the borrowes anent the matter of the fisching. . . .

Ordanis missive letters to be direct in the counsall names to the burghis of Perth, Dundye, Abirdein, Stirling, Lynlithgow, Sanctandroes, Glasgow, Aire, Irwin, Dumbarton, Montrose, Culros, Innerkeithing, Bruntyland, Kinghorne, Kirkcaldye, Dysart, Caraill, Pettinveyne, Kilrairie, Anstruther Eister and Wester, acquainting theme that they ar informit be the Lord Register that the Inglische ar making gritt preparatiounes for the fisching and thairfore to desyre theme least they be previned in the choyse of the best and most commodious plaices of the kingdome to provyid for the same both for thair awin weill and generall weill of the kingdome. . . .<sup>1</sup>

18th April 1633.

[The council and extraordinary deacons] finding it expedient that his Ma. should not onlie be acquainted with the preparatiouns maid and to be maid for his Ma. entrie to this toun and his advyse to be craived anent such other thinges as wilbe incident theranent bot also to supplicat his Ma. anent all such thinges as concernis the liberties and publict guid of this burgh<sup>2</sup> Thairfor they have elected . . . Maister Alexander Guthrie to be commissioner for theme for passing to his Ma. anent the praemisses and ordanis the thesaurer to pay his chairges. . . . And ordanis these appointed for these effaires to sett doun his informatiounes in all thinges And lyikwayes ordanis ane commissioun to be givin and sent to Sir Jolune Hay theranent with ane letter desyryng him to accept upone him the same and if his plaice or uther occasiounes sall not suffer the same that then his Lo. wald concure with the said Maister Alexander in all thinges.

Commission  
Guthrie  
Court.

Being convenit anent the supplicatioun givin in be Thomas Patersoun deykin of the maissouns and Alexander Cleghorne deykin of the wrichtes for them selffes and in name and behalff of thair saids craftis and brethrein thairof and also in name and behalff of the whole coupars glaissinwrichtis bowars sclaitteris paynteris and uthers thair adherents That quhair they have in longe tyme past memorie bein erected in frie craftis and in ane bodye ; and for the commoun benefeit of all his Ma. lidges and making of expert and skilfull men in thair saids craftis : thair hes not onlie lawis bein sett doun be oure predicessours for governing of the saids craftis sic as anent the tyme of prenteis ressaiving of servands and oversieing of workemens worke ; bot also for the floorisching and inritchng of the saids craftis that they nicht not onlie be the more inhabled to doe thair service and worke the more skilfullie and sufficientlie to all such as should imploy theme bot to the end they

Wrightis  
unfriemen.

<sup>1</sup> See p. 105, *supra*.

<sup>2</sup> See Appendices xii. and xiii.

might be the more inhabled to beir all commoun burdeins in watching wairding and in all taxatiounes and impositiounes lyand upone this burgh as ane proffita-bill member thairof thair hes also bein particular lawis and statuttis sett down that when anye of the saids craftis sould cum of new to this burgh and schaipe theme to worke or tak worke in hand they sould first come to the visitoris yeirlie appointed be us to be tryet if they wer sufficientlie expert in the craft or nott and being fund sufficient to pay thair dewes and to be admittit be theme to the fellowship of the saids craftis and warrand hes being givin be oure predicessoures that the same statuttis to the maissouns and wrichtes sould be keiped to the coupers and officers ordaynit to pas with theme and forbid outland folkes that preveins theme in thair worke and to putt theme frome the occupatioun of thair saids craftis within this toun except they mak thair residence within the samyn pay thair dewes to the saids craftis and be ressavit to the fellowship thairof As at mair lenth is contenit in thair seilles of causes giftes and donatiounes grauntit be oure saids predecessoures to the saids craftis and brethrein thairof of the daittes of the yeires respective 1475-1489 confermit be the Archiebischepe of Sanctandroes for the tyme and be unquhill King James the fyft in anno 1527 Nothwithstanding quherof they finding thair saids liberties daylie violate thair brethrein daylie decay, for laick of exerceis of thair craft, and that through the unjust intrusioun and usurpation of sundrie unfrie persounes duelling within and without this burgh who being les skilfull and subject to fewar burdeins then they daylie and at all tymes importis all maner of work within this burgh settis up the samen and takkis frome theme that whairupone they sould intertyne theme selffes, servandis and families to beir commoun burdein with the rest of the bodye of this burgh, quhairby they ar redacted to extreame necessitie And if the farther growth thairof be not tymouslie previned they sall not onlie ceis to be ane member bot with thair wyffes and childreyne they salbe castin to be ane commoun burdein upone us Beseikand us thairfore to tak the causes of thair ruine and decay to our serious consideratioun and to ratifie and approve unto theme thair former liberties grauntit unto theme be oure predicessoures in all the heads, clauses and articles thairof and possessed hithertillis be theme and to renew the same to theme in such cleir termes as all mater of questionn and debaitt amongst theme selffes or with utheris craftsmen duelling outwith this burgh may be absolutlie taiken away and they the more not onlie inhabled to serve his Ma. liedges bot also inhabled to beir thair pairt of all commoun chairges pertening to this burgh in all commoun effaires [the council ratify the foresaid gifts and privileges]. And farder considering that the craftsmen duelling neir to this toun without the jurisdiction of the samin does at all tymes be day and be nicht bring in thair work wrocht be theme selffes settis up the samen within this burgh to all persounes quhairby not onlie his Ma. liedges ar prejudgit in the insufficiencie thairof they not being skilfull nor expert in thair craft and suntymes being such who throw thair ignorance and unskilfulness hes bein refused to be ressavit unto anye of the saids craftis and quha without any ordour or government amongst theme selffes ar tollerat

promiscuouslie to worke As lyikwayes considdering that the saids deykins and thair brethrein and adherents ar subject to all commoun burdeins both of his Ma. taxatiounes as also of uther burdeins of the toun and ar liekle now to decay throw laik of exerceis of thair craft being previned therof be the saids uther persounes duelling neir this burgh and outwith the liberties thairof Thairfore to inhibite all persounes from working within this burgh in anye of the saids craftis . . . bot such as salbe fund sufficientlie qualifiet and admittit to the libertie of sum of the saids craftis except in the cumpanie and under the commandement of sum of the friemen thairof And that also to inhibite all persounes duelling within thrie mylles of this burgh frome bringing in anye of thair said worke . . . bot upone the Mononday allanerlie which they salbe haldin to present first to the commoun mercatt in mercatt tyme to the effect the samin may be visited be the suorne visitouris to be apointed to that effect whither the same be sufficient or nott that his Ma. liedges be nott thairby dissavit and prejudged under payne of confiscatioun of all such worke as they salbe fund working or setting up or fund bringing in af the said mercatt day the one halff thairof to the use of the guid toun and the uther to be applyed for the sustentatioun of the poore of the craft and funder punischement of thair persounes at the discretioun of the Magistrattis and the samin being presentit it salbe lawfull to the said worker to sett up the worke provyding they sett up na uther worke under cullour And ordanis officeris to pas with the saids deykins for executioun heiroy at command and discretioun of the Magistrattis so oft as occasioun requyres in whose handis not onlie the executioun of thir presentis does and sall consist Bot also to sett down such uther lawis and statuttis be advyse of the counsall for governing of the saids craftis and apointing of thair tymes of working as they sall think guid for the better services of all his Ma. liedges and ordanis thair clerk to subscriye thir presentis and to append the seill of caus thairto. . . .

22nd April 1633.

Grantis testimoniall testifieing the schip callit the George of the Quenisferrie with the hail laiding laithie taikin be ane man of war under the King of Spayne being bound to Campheir within thrie ligis of the said toun and caryed to the passage of Sanct Sebastians to pertain to Scottis merchandis allanerlie the owner of the schip and goodes or maist pairt of theme deponing the same upone thair oath and als testifieing that the saids awneris hes deputt Adam Mitchelsoun thair procuratour for persewing for recoverie thairof under the subscriptioun of thair clerk and seill of caus.<sup>1</sup>

Testimoniall  
George of  
Queen'sferrie.

<sup>1</sup> *P.C.R.*, v. pp. xxix, 78. The greatest grievance in the matter was that the Kings of England and Spain were at peace. Half the crew were put into an open boat and left to find their way to land, the others were carried to St. Sebastian and kept prisoners till they were "violently thrust" on an English ship, bound for London.

Contributioun  
ministers  
stipendis.

Ordanis thair commissioner to his Ma. to deale with his Ma. for ane warrand for causing the haill inhabitantis within this burgh without exceptioun except the lordis of counsall and sessioun allanerlie to contribute the soume of ten thowsand merkis for pairt of payment of the ministeris stipendis with ane thousand merkis or tua for ingathering thair of according and proportionallie to the quantitie of the mailles they pay or the houses whair they dwell may reasonable pay since of reasoun who heires the word and resavis the benefeit of the church eucht to pay for the same and the Proveist and baillies to sett down the same be certain suorne men suorne yeirlie to that effect and to gather in the same to be applyed onlie to the said use with powar to theme *brevi manu* to poynd or waird for the same and to declair who salbe called induellers.<sup>1</sup>

26th April 1633.

[Mr John Maxwell, one of the pastors of the S.E. parish, resigned his charge upon his appointment as Bishop of Ross. He earnestly intreated the council to supply a qualified preacher in his place.]

3rd May 1633.

Missive letter  
Burrowes.

Ordanis missive letters to be direct to the haill borrowes of this realme to repair heir againe the [ ] of [ ] nixtocum sufficientlie instructed in all thinges concerning thair estait to be agitat in the nixt parliament And gif neid beis for alteratioun of the dyett of the generall conventioun of the saids borrowis for this present yeir if it can not be convenientlie keiped at the ordiner tyme As also to cum instructed what course salbe taikin for the gritt customes imposit in Fraunce upon our natioun As also concerning the alteratioun and chainge of the coynye if neid beis As also ilk burgh to send thair pairt of the soume of fyve hundreth pundis conforme to the taxt roll promittit to Selkirk conforme to the [ ] act of the last particular conventioun haldin at Edinburgh in November last and ordanis Mr Williame Hay thair clerk deputt to subscrye the samin.<sup>2</sup>

<sup>1</sup> *P.C.R.*, v. 209, 13th Feb. 1634: "A letter from his Majestic for a ratable impositioun to be levyed and takin up for a competent stipend and dwellinghous to everie minister of Edinburgh according to the proportioun and mail of the said burgh. The Lords ordains the provest and bailleis of Edinburgh to be warn'd to Tuisday and a copie of the letter to be delyvered to thame for thair better informatioun and ansuer."

<sup>2</sup> *P.C.R.*, v. p. 6: on 9th January 1633 the commissioners for Edinburgh had been summoned to give in answers in writing to the suggestion for rectifying the matter of the dollars. See 30th November 1632 (p. 116 *supra*). P. 9. On 15th January the answers for the town were produced and the Privy Council delayed discussion of the matter for a week. On 28th January it was determined to prosecute importers of dollars and exporters of the coin of the country (p. 19). On 29th January the lords having considered the proposals and the answers made by the Burghs and the Officers of the Mint delayed the matter and required the Burghs present to give their procuratory to Edinburgh to deal with the matter. On 25th May, in consequence of a letter from the King, the question of foreign coin was remitted to Parliament (pp. 102-3). Here it seems probable that Edinburgh had inside information that such a proposal by the King was imminent, since they took steps to prepare for it.



15th May 1633.

Electes in plaice of James Clerk, presentlie furth of the cuntrey, and Johnne Jamesoun waike and unabill for dischairge of the dewtye of ane serjand and under the orange collouris<sup>1</sup> Alexander Forrester and Williame Blacklock. . . .

Serjandis  
orange  
collouris.

22nd May 1633.

[The bailies' accounts of the second term of the King's extent were audited and passed. The sum of 15,413 li. 6 s. 8 d. has been paid and 1,487 li. 4 s. 4 d. is to be paid by the bailies to the treasurer.]

The baillies' accounts of the fines were audited and passed. The sum of 906 li. 13 s. 4 d. is due to them and to be paid by the treasurer.]

Ordanis letters to be writtin to the burghis of Perth, Dundye, Abirdein, Stirling, and Lynlithgow wha with this burgh for the frie borrowis of this realme as ane of the thrie estaittes of this realme for preservatioun of thair liberties and privileges at his Ma. coronatioun and parliament now onsewing sall prepaire theme selfies in the maist decent maner to attend the Coronatioun and parliament. . . .

Burrows  
coronatioun  
Parliament.

31st May 1633.

Electes serjand in plaice of Johnne Smith quha is presentlie furth of the cuntrey of the gridilene cumpanye Laurence Scott, younger, merchand. . . .<sup>1</sup>

serjand  
gridillin  
collouris.

5th June 1633.

Electes commissioner for theme to pas to his Ma. Maister Alexander Guthrie and in thair names for supplicatting the perfytyng of all such thinges whairwith he hes bene acquainted. . . .<sup>2</sup>

Commissioner  
Ma<sup>te</sup>.

7th June 1633.

Ordanes James Loch, thesaurer, to pay to thair four ordiner drummers for thair encouradgement and decorment at his Ma. entrie and being heir the soume of ane hundreth merkis to be equallie devydit amangis theme. . . .

Precept  
Thesaurer  
drummers.

[Weaponshowing on 19th June.]

<sup>1</sup> This seems the first mention of the colours under which the Town Companies marched. The first company seems always to have carried the orange colours. A list of 1660 gives the colours as follows: (1) Orange, (2) White, (3) Blue, (4) Orange and White, (5) Green and Red, (6) Purple, (7) Blue and White, (8) Orange and Green, (9) Green and White, (10) Red and yellow, (11) Yellow, (12) Red and Blue, (13) Orange and Blue, (14) Red and White, (15) Red, White and Orange, or Grey and Red, (16) Red. It is not certain that in 1633 there were sixteen companies. In 1719 only eight companies are given with their colours, Nos. 1, 9, 2, 6, 11, 14, 15(1), Red and Green.

<sup>2</sup> See Appendices xii. and xiii.

*3rd July 1633.*

Commissioners  
King's Ma.  
extraordiner  
taxatioun.

Constituttes Alexander Clerk Lord Proveist Williame Gray baillie and Williame Dick merchand commissioners for theme to pas to his Ma. for dealing with his hienes and his privie counsall for ane composition of the tuo extraordinary taxatiounes<sup>1</sup> and for satling the counsall exchekquer and commissioun in Edinburgh and for expeding the Tounes signature. . . .<sup>1</sup>

*19th July 1633.*

[John Sinclair and Gilbert Kirkwood, commissioners to the General Convention of Burghs at St. Andrews on 6th August.]

*26th July 1633.*

[A gratuity of 300 merks each is to be paid to the Town's ministers, in respect of their expenses during the King's visit.]

*29th July 1633.*

[Gilbert Achesoun is appointed to keep a general book of the contributions towards the building of the Parliament House, according to the quarters of the Town, and to give copies to the collectors appointed to receive the contributions. The second instalment, due at Whitsunday last, is to be collected.]

*31st July 1633.*

[John Sinclair is empowered to collect 8,000 li. due by the commissioners of burghs to the Town.

The burgesses and gildbrethren, made at the time of the King's visit are to be inserted in the gild book.

Alexander Patersoun, servant of the clerk, is to be paid 400 merks for his trouble in writing the burgess tickets and other services.]

K. Matie  
propyned be  
the Toun with  
xijm  
merkis.

Forsamikle as the Proveist and baillies in the moneth of Apryle last ordanit Maister Alexander Guthrie commissioner for theme to his Ma. in certain thair affaires to borrow at Londoun the soume of ten or tuelff thousand merkis scottis money and to bring the same home in gold to have bein givin in propyne to his Ma. at his entrie within this burgh Lyik as the said Maister Alexander borrowit the soume of fyve hundreth pundis sterling in gold frome David and Williame Mureheids induelleris in the Citie of Londoun which with the interest and exchainge thair of did extend to the soume of ten thousand merkis scottis and gaive band thair of to Johnne Joussie merchand in Edinburgh with tua letteres of exchainge for paying thair of to the said David or Williame Mureheids . . . which soume James Loch thesaurer ressavit in gold and farder borrowit the soume of thrie thousand merkis frome Patrick Wood

<sup>1</sup> See *P.C.R.*, iv. 596. Edinburgh in 1631 had offered £40,000 as composition for the extraordinary taxation.

<sup>2</sup> The new charter was received only in 1636.

merchand for making up of the soume of tuelff thousand merkis scottes which was ordanit to be the propyne to be givin to his Ma. at his entrie within this burgh As also did give for the exchainge of the said thrie thousand merkis in gold the soume of fourscoir pundis scottes Lyikas also his Ma. at his entrie ressavit the said soume of tuelff thousand merkis scottes with ane baissing in propyne at his entrie Which with the profitees and exchainges did stand in the soume of threttien thousand ane hundreth and tuentie merkis. [This sum having been borrowed from Patrick Wood, bond is to be given to him for repayment at Martinmas next.

Mr Alexander Guthrie, also, having borrowed for his expenses 1,334 merks with 100 merks for exchange, from Frances Dick, merchant in London, the treasurer is ordered to repay the same.

Having borrowed further for the King's reception 10,000 merks from John Wood, merchant, bond is to be given to him for payment at Martinmas.

The council having borrowed from Alexander Clerk, Lord Provost, 20,000 merks, and the said Lord Provost having required payment at Whitsunday last, the treasurer had paid the money with 1,000 merks as annualrent, it is to be allowed to him in his accounts and the next treasurer is to pay to him the annualrent from Whitsunday to Martinmas next.

Mr Patrick Mawer is appointed clerk of Leith, after the decease of Patrick Glassfurd, present clerk, during the council's will, with the special condition that he is to obey all the instructions set down by them.]

Wheras the commissioners of the borrowis in thair last general convention . . . haldin at the burgh of Muntrose the thrid day of Julij [1632] ordanit to be inacted for restrayning of burgessis frome suitting of monopolies which tends grittumlie not onlie to the hurt of the borrowis bot also of the whole cuntrey ordaynit that it sould be eikit to the burges oath that at thair admissiour they sould not procure ane monopolie directlie nor indirectlie nor be pertinoris with anye that did procure monopolies lyik as they renuncit the same as the said act at mair lenth beires Thairfore the saids Proveist, baillies and counsall ordanis the dene of gild to add the same to thair burges oath which he administrattis to ilk burges at thair admissioun.

Monopolising  
B. Tickets.

*7th August 1633.*

Ordanis James Loch thesaurer to pay to Stephan Tilliedaff musician for setting and acteng of the musick at Parnassus hill and at his Ma. banquet in satisfacioun of his paines tua hundreth merkis and to Andro Sinclare organist for his paines and travellis in the same ane hundreth merkis. . . .<sup>1</sup>

Precept  
thesaurer  
Tilliedaff.

*23rd August 1633.*

Ordanis the thesaurer to pay to George Jamesoun, painter, for his extra-

Precept  
Thesaurer  
Jamiesoun.

<sup>1</sup> See Maitland, p. 66. Parnassus Hill was erected at the Tron. "In the cavity of the mount sat two bands of vocal and instrumental music, with an organ to complete the concert."

ordiner paynes taiken be him in the tounes effaires at his Ma. entrie within this burgh thriescoir dollouris and fyve dollouris to his servand in drink-silver. . . .<sup>1</sup>

28th August 1633.

Jamiesoun  
B. gildbrother  
gratis.

Ordanis the deane of gild to admitt George Jamesoun painter burges and gildbrother of this burgh for payment of the ordiner soumes of money and to repay the same.

30th August 1633.

[Repayment of 8,000 li. having been made by the burghs to the good Town, the treasurer is ordered to repay to Heriot's Hospital 6,000 li. being a part of 12,000 li. borrowed from them for the Town's affairs.]

31st August 1633.

Halyburtoun  
actit  
gloves.

Johnne Halyburnetoun, merchand, being convenit upone ane complaint givin in against him be the deykin and brethrein of the skynneris for scheirring monting lynning and [ ] and pasmenting of glooves and purses confessed the causing lyne and [ ] certain glooves. . . . [He is bound over to desist from such work under a penalty of 100 li.]<sup>2</sup>

11th September 1633.

[Patrick Glasfurd resigned the clerkship of Leith.

Mr Patrick Mawer, writer, is appointed in his place.<sup>3</sup>

Act in favours  
of Glasfurd  
ad vitam.

Forsamikle as the counsall upone dimissioum of Patrik Glasfurd, clerk in Leith of his office of his clerkship hes dispoit the said plaice to Maister Patrik Mawer and the counsall considdering that if it sould pleis God to call the said Mr Patrik out of this lyfe before the said Patrik the said Patrik would be heavilie prejudged in his old aige being ane old trew servand Thairfore they be thir presentis promises that in the caice whomesoevir they sall present to the said plaice salbe subject to the same conditionnes quhairunto the said Mr Patrik is subject be ane pactioun betwixt him and the said Patrik.

[The treasurer is to pay to Mr John Charteres, minister at Currie, for the further repair of the church 200 merks upon the same conditions as previously.]

<sup>1</sup> *Ibid.* pp. 65, 66. "In the Overbow Street was erected a stately triumphal Arch, whereon was finely depieted the Country of *Caledonia*" . . . . "At the Western End of the Tolbooth, in the High Street, stood the second triumphal Arch, whereon were painted the Portraits of the Hundred and nine Kings of Scotland . . . ." If all of these were not Jameson's work, the second certainly must have been, for the artist was a great portrait painter in his day. "At the Netherbow Gate, a third magnificent Arch was erected, whereon were represented the Celestial Constellations."

<sup>2</sup> See 26th November 1630 (p. 83) for ratification of skinnners' rights.

<sup>3</sup> See 31st July above.



18th September 1633.

[The late Arthur Rae left a legacy of 500 merks to the Trinity Hospital.]

Anent the complent givin in be Robert Miklejohnne skynner for himselff and in name and behalff of the remanent brethrein and skynners burgesis of this burgh against George Jaksoun skynner burges also of the same That whair the said George immediatelie efter the outgiving of the lyttes givin to the said deacone and brethrein for cheising of thair deykin for the yeir to cum he efter ane maist seditious maner convocat so many of the said craft as he could intyse to voite according to his directioun in electioun of thair deykin and efter gritt drinking haiffing suborned theme to follow him therintill maid his vaunt thairof in divers plaices as wes cleirly verefiet be famous witnessis and therby hes raised ane sedition and mutynie among the said craft [quhilk] is intollerabill quhilk is ane most dangerous and evill preparative to stay and hinder ane quyet and peaceabill electioun of the Magistrattis of this burgh presentlie ensewing Lyikas the said George gaive prooffe therof at the electioun of the said deykin and did quhatt in him lay to mak such mutinie and insurrectioun amongst theme as could nott have bein easielie quenched Beseikand thairfore the saids Proveist baillies and counsall being the same is ane most dangerous preparative nott onlie for theme bot for the haill incorporatiounes of this burgh to tak the same to thair serious consideratioun and to punishe the said George Jaksoun in exempil of utheris to commit the lyik in tyme cuming as at mair lenth is contenit in the said complent quhilk being red this day in counsell in presens of the persewar and defendar the said defendar denyet the same and thairfore the saids Proveist baillies and counsall admittit the same to the said persewaris probatioun and divers famous witnessis being ressavit suorne and examinat theranent . . . findis . . . that the said George Jaksoun is guiltie of seducing and persuading of his brethrein and off raising of mutinie and contentioun Thairfore ordanis him to be wairdit quhill Fryday nixt and to be acted under payne of banishment nevir to committ the lyik in tyme cuming and this sentence pronuncit in counsall in presens of both pairtyes.<sup>1</sup>

20th September 1633.

Forsamikle as the Proveist baillies and counsall conforme to ane act of counsall . . . of the daitt the threttein of Januarij 1630 elected James Achesoun to be dreill maister of this burgh and apointed him ane yeirly pensioun during his actuall and thankfull service and with provisioun that he sould not absent himselff furth of this burgh without licence and the said James haiveing stayed be the spaice of ane yeir and halff out of the cuntrey thairfore they dischaarge the said pensioun in all tyme cuming and for his consideratioun

Achesoun  
dreillmaster  
yeirly  
pensioun.

<sup>1</sup> This whole act has been stroked out, and the marginal note added: 2nd October 1635. This act delett at command of the counsall with consent of Wm. Carnegie, present dekin of the skynners, for himself and in name of his brethrein in presens of the counsall. (signed) A. Guthrie.

of his travellis they ordaine the thesaurer to content and pay to the said James the soume of tua hundreth merkis. . . .<sup>1</sup>

Warning  
burrowis.

Ordanis the commissioneris of borrowis contenit in the threttie act in the last general conventioun of borrowis haldin at the burgh of Sanctandros in August to be wairnit for convening at this burgh the aucht of October nixt with continuatioun of dayis for the causis contenit in the said act. . . .

*25th September 1633.*

[The accounts of the treasurer, William Gray, for the first year of his office, show him to be overspent in the sum of 8,183 li. 15 s. 5 d., and for the second year in a sum of 5,822 li. 11 s. 2 d. The present treasurer is to pay the annualrent of the first sum since Martinmas 1631 and of the latter sum since Martinmas last, and, if the principal is not repaid at Martinmas next, to give a bond for the same.

The accounts of the dean of gild, Joseph Marjoribankis, for the second year of his office, show him to be overspent in the sum of 413 li. 2 s. 2 d., and for the third year of his office, a balance is due to the Town of 929 li. 6 s. 8 d., after the former sum was paid.]

*1st October 1633.*

[Council for 1633-34: *Provost*, Sir Alexander Clerk of Pittencreiff; *Bailies*, William Reid, Edward Ferquhare, David Makcall, Robert Fleyming; *Dean of Gild*, William Dick; *Treasurer*, James Loch; *Council*, Sir William Nisbett, John Sinclare, William Gray, James Murray, George Baillie, Joseph Merjoriebankis, Robert Achesoun, James Nasmyth, John Trotter, younger, James Eleis, William Carnegye, John Fynn timer, tailor; *Deacons*, George Crawford, goldsmith, Robert Miklejohnne, skinner, Richard Maxwell, hammerman, James Rig, surgeon, Patrick Aitkynne, shoemaker; *Extraordinary Deacons*, Thomas Weir, furrier, Alexander Baxter, wright, Hew Forrest, mason, Thomas Stenhops, baker, Nicoll Henrysoun, flesher, Willame Sclaitter, weaver, John Crystie, waulker, Robert Lauchlane, bonnetmaker.]

*2nd October 1633.*

[Gilbert Williamsoun, water bailie and bailie of Leith, David Junkein, bailie of Leith.

John Sinclare and Robert Miklejohnne, commissioners to the Particular Convention of Burghs on 8th October, with a committee to advise, consisting of the magistrates and four other counsellors.]<sup>2</sup>

*7th October 1633.*

[John Sinclare being out of town and not likely to return in time for the Convention, William Dick is elected in his place.]

<sup>1</sup> See 13th January 1630 (p. 63). The promised pension was £200 scots.

<sup>2</sup> See 20th September *supra*.

11th October 1633.

Compeirit Jaqueis Selyrio Frenschman indueller in the Cannogait and acted him self . . . that he sall not be fund nather be him self wyff nor servandis debaiting any merchandices or uther waires in small within this kingdome untill he salbe maid burges or frieman in sume of his Ma. frie Royall borrowis And that under the payne of ane hundreth pundis.

Selyrio  
frenschman  
actit.

18th October 1633.

Robert Symeon Inglishman being convenit for haiveing brocht into tuo ships certain balein frome Grunland did not enter the same, confessed the same Thairfore the counsall unlawis him in the soume of tuentie four pundis and ordanis him to mak offer of the said balein and nott to transport the same without licence. . . .

Unlaw  
Symeon  
Inglishman.

[Price of tallow, 45 s. the stone ; candles, 53 s. the stone and 3 s. 4 d. the pound.]

23rd October 1633.

Grantis licence and libertie to burye the corps of unquhill Sir James Skene President<sup>1</sup> within the church of the Grayfrier parochin of this burgh.

Skene corps  
Grayfrier  
Kirk.

25th October 1633.

Being certainlie informit that it hes pleased God to bring hir most excellent Ma. to bed laitlie of ane sone to the no small comfort of our sacred soverayne and all his liedges in testimonie quhairof they have ordanit that bonefyres and fyres of joy be sett furth be all the inhabitants of this burgh and ordanis proclamatioun to be maid heiroyf through this burgh be sound of drum commanding the same to be doone betwixt and four houres in the efternoone under the payne of tuentie pundis.<sup>2</sup>

Q. Matie  
Sone borne  
bonfyris.

30th October 1633.

[The accounts of the collector of Kirk rents are audited. Balance due by the late John Nisbett, 97 li. 18 s. Balance due by John Yair, 992 li. 2 s. 11 d.]

Compeirit Sir Johnne Hay, Clerk of Register, and producit his Ma. letter direct to this counsall anent the bischope of Edinburgh<sup>3</sup> and the gritt church of this burgh daittit at Quhythall the 11th of October 1633 . . . quhairof the tennour followis :—

K. Ma.  
Letter.

<sup>1</sup> Sir James Skene of Curriehill, Clerk Register in succession to his father in 1612, succeeded the Earl of Melrose as Lord President in February 1626, died 15th October 1633. See *Calderwood*, vii. pp. 359, 383. His monument is now against the north outside wall of the church.

<sup>2</sup> The son was James, Duke of Albany and York, later James VII and II.

<sup>3</sup> Mr William Forbes. He was only admitted a member of the Privy Council on 1st February 1634, two months before his death (*P.C.R.*, v. 193n).

Trustie and weilbelovit we greitt yow weill whereas of our princelie motive and zeale for advancement and government of the churche of that our kingdome we have by the advyse of the cheiffest of our clergie thairof erected at oure chairges a bischoprick of new to be callit the bischoprik of Edinburgh whairby none of youre priviledges or liberties ar oniewayes to be infringed bot rather preserved and incressed ; and wheras to that purpose it is verie expedient that Sanct Jeilles churche (designed by us to be the Cathedrall Churche of that bischoprik) be ordered as is decent and fitt for a churche of that eminencie and according to the first intentioun of the erectors and founders thairof which was to be keiped conforme to the lairgenes and conspecutie of the fundatioun and fabrick, and not to be indirectlie parcelled and disjoynit by wallis and partitiounes as now it is without any warrand frome any oure Royal predicessoures Oure pleasure is that with all diligence yow caus raze to the grund the east wall of the said churche and siclyk that yow caus raze the wester wall therin betwixt this and Lambes ensewing at or before which tyme we require yow to caus finisch the new tolbuith to the effect it may be for the use of oure churche and uther judicatories and commissiounes as the tyme and occasioun sall require. We bid yow fair weill frome oure court at Whythall the ellevint of October 1633 *et sic superscribitur*, Charles R.<sup>1</sup>

1st November 1633.

[Bread, 12 d. loaf of 12 oz. weight ; ale 16 d. the pint ; beer, 20 d. the pint.

John Fleyming, merchant, elected treasurer to the building of the Parliament House.]

For demolishing  
eister wall  
St. Gellis.  
Kirk.

[The council, in conjunction with most of the honest neighbours, having considered the King's letter] who being inclyned to give his Ma. all obedience as in dewtye bund gaive thair assent thairto and the counsall haiveing in divers tymes convenit and ponderit the necessitie of the saids churches and finding that by this meanes the number of the churches salbe impaired and tua church taiken away whairby manye of this burgh and divers otheris resorting hither salbe disapointed of the comfort of the word of God yit considdering that his Ma. does not intend thairby that anye salbe disapointed of the said comfort but will tak such course for the provisioun for building of churches within this burgh as the people sall not be long frustrat of fitt rouses for hering of the said Worde of God and relyeing whollie upone his Ma. Royall providence and princelie cair of this burgh and being willing to secund all his Ma. Royall intentiounes and to advance the same so far as in theme lyes Hes concludit and agriet . . . that the said eister wall salbe with diligence dimolischit and

<sup>1</sup> A letter to the Privy Council from the King of the same date (*P.C.R.*, v. 136-7) recapitulates the substance of the above letter and recommends to them to further the Town Council in all they can do for their encouragement. To this end probably was the recommendation that the sessions of the Council Exchequer and the Commissions for the surrender of teinds should be kept in the Town. See 3rd July 1633 (p. 128 *supra*), showing that the Town Council had sent commissioners to Court to obtain this concession. The Bishopric Charter had been dated 29th September 1633, so that it was a recognised fact. See also 13th March 1632 (p. 103 *supra*).



remoovit and ordanis the dene of gild of this burgh with such convenient diligence as may be to dimolisch the said eister wall . . . and as for the other wall the counsall hes thocht guid that his Ma. be acquainted with the necessitie of the said wall betwixt and the tyme apointed be his Ma. for dimolisching theroof that such ordour may be taiken theranent be his owne directioun as he in his princelie wisdome sall think expedient.

*8th November 1633.*

[The extraordinary deacons consent to the demolishing of the easter wall in St. Giles.]

*15th November 1633.*

[The council with sixty-two neighbours being assembled] and thair being schewen unto theme the burdeins of taxatiounes lyeing upon this burgh grantit to his Ma. at the last parliament haldin at this burgh and especiallie the tuo extraordinar taxatiounes imposit upone the money and annuallrentis thair of for ingathering quhairof all creditours ar ordaynit to give up inventar of the whole soumes of money addebtet unto theme be quhatsumevir persounes; which being considered be thame they all in ane voice for eschewing the manye inconveniences and distractiounes to follow therupone tending to the renting and disuniting of the bodey of the Toun which thair predecessors hes so long laubourit to keip in ane happie unitie hes agriet and condescendit that the saids tua extraordinar taxatiounes be composed for certan soumes of money at such ane raitt as the counsall according to the knowne abilitie of the Toun sall find necessar to be levied be the Magistrattis according to the extent to be sett down be the extenteris apointed or to be apointed who salbe injoynit to sett the same with that discretioun as appertenis.<sup>1</sup>

Agriement  
compositioun  
extraordinar  
taxatioun.

*27th November 1633.*

Grantis licence to Andro Ritchie musician to teache ane musick scoole within this burgh during the counsalls will and with provisioun he carye him self in all thinges to the counsall and underlye such injunctiounes as they sall injoyne unto him.

Ritchie  
musik  
schole.

*4th December 1633.*

[The burghs, mentioned in the second act of the recent particular convention, are to be summoned to meet.]

*6th December 1633.*

[The bailies are instructed to borrow money to pay the two taxations due.]

Comperit Mr Johnne Airmour professor of humanitie within King James

Dimissioun  
Airmour  
regent  
humanitie.

<sup>1</sup> See *A.P.S.*, v. pp. 13-16. The tax included the sum of 30s. on each pound land of old extent for six years and the sixteenth penny of all annualrents for a similar term. The latter tax had also been proposed in 1621 and had been commuted by the burgh, on the ground of the "grit divisioun" it would produce (*Extracts, 1604-1626*, p. 224 and note; *A.P.S.*, iv. pp. 598-600).

his colledge and declairit that he was to leive that plaice . . .<sup>1</sup> and thairfore the counsall ordanit the principall being present to schew the same to the lordis of session that ordour may be taiken for provyding the said plaice in tyme cuming and in the meane tyme recommends the said classe to the principallis caire.

11th December 1633.

[Commissioners are appointed to meet with the Lords of Session for the election of a new professor of humanity.]

13th December 1633.

Compositionn  
extraordinar  
taxatioun.

[With reference to the act of 15th November anent the taxation] the Magistrattis with sume otheris of the counsall hes commouned and travellit with the Marqueis of Hammiltoun his Ma. collector and the lordis of exchekquer and hes resolved to mak offer to his Ma. the saids lordis of exchekquer and the said collector of the soume of ane hundreth thousand pundis to be payit at Witsonday nixt for thair pairt of the said taxatioun of tua of ilk hundreth of annualrent and for thair pairt of the uther extraordinar taxatioun and ordiner for the first four yeires thair of and of the soume of tuentie thousand pundis for thair pairt of the tua last yeires thair of respective Which being proponit in counsall to the saids nichtboures ratifies and approves the said former act with the hail treatie precedour and conclusioun maid or to be maid be the Magistrattis with the said Marqueis and lordis of exchekquar anent the said offer to be maid and is content and consentis that the saids soumes salbe exacted of the nichtboures be extent according to the acustomit manner or utherwayes as the counsall and nichtboures to be convenit sall think expedient.<sup>2</sup>

18th December 1633.

Maxwell  
prenteis  
bulkit.

Being informit that Alexander Maxwell brother to the Laird of Calderwood hes servit Archibald Sydserff merchand as prenteis to him and hes not bein bulkit as prenteis to him thruch which neglect he may lose the benefeit of his service, the counsall at the earnest desyre of the Ladye Marqueis of Hammiltoun hes dispensed and dispensis with the not buiking of him in dew tyme. . . .

20th December 1633.

[The demolition of the easter wall in St. Giles is to start before 4th January.]

27th December 1633.

[Mr Alexander Gibsone is presented to the professorship of humanity.]<sup>3</sup>

<sup>1</sup> He was appointed regent of Humanity on 7th March 1630 (p. 71). *Crawford* (p. 125) states that he was elected Professor of Philosophy at the Old College of St. Andrews.

<sup>2</sup> See *ante*, 15th November and *P.C.R.*, v. 311-15.

<sup>3</sup> *Crawford* (p. 124-5) narrates that, of three candidates for the post, Mr Archibald Newton, Doctor in the High School, was the better scholar, but "being odious to the episcopal faction," Mr Alexander Gibson, son of a writer, was admitted. He had graduated in 1625.

28th December 1633.

[The treasurer is ordered to take down the partition between the Great Kirk and the East Kirk with all diligence. A committee of four is to oversee the work and to agree with the workmen.]

1st January 1634.

[William Dick and Robert Miklejohn are appointed commissioners to the Particular Convention of Burghs on 7th January.]

3rd January 1634.

Forsamikle as the dimolutioun of the partitioun wall betwixt the gritt and littill kirk is to be begun this nixt weik quhairby the parochin of the southeist quarter cannot commodiouslie heare the word preached thair as before. Thairfore ordanis the said parochin upone the Sunday heirefter to resort to the hie Tolbuith both before noone and efternoone till farder course be taiken and the weiklie preaching to be in the gritt kirk and ordanis this to be intimat out of the pulpitt upone Sunday nixt.

Kirk, High  
Tolbuith  
southeist  
parochie.

Grantis to Maister Archibald Skeldye in respect of sume vacand plaices of the ministrie quhairby he is more burdened than of before . . . in farder augmentatioun the soume of ane hundreth merkis yeirlie. . . .<sup>1</sup>

Augmentatioun  
stipend  
skeldye.

[Since, in addition to the previously-mentioned taxation, the late parliament had granted] ane uther taxatioun of tua of ten lyikwayes upon annuallrent for the spaice of thrie yeires beginning at Mertymes last in the yeir of God 1633 yeires and the counsall feiring the renting of thair bodye and discoverie of thair waiknes both at home and abroad if the saids extraordinier taxatiounes imposit upone annuallrentis wer conforme to the tennour of the actes of parliament uplifted from the nichtbours [therefore they have offered the sum of 60,000 li. for the said taxation, payable during the years 1634-36, and for the other extraordinary taxation of the sixteenth penny on all annuallrents and the ordinary taxation 40,000 li., with 20,000 li. in composition for the last two years of ordinary taxation, the whole payment to be completed by Martinmas 1639.]<sup>2</sup>

twa of ten  
commissioun  
for composition

27th January 1634.

[The council with other neighbours, considering the sums they have engaged to pay in taxation, as also the sum due to the Lords of Session, money granted by the neighbours for relief of the Common Good and the debts contracted for the King's reception, have ordered that the sum of 100,000 li. should be raised at Whitsunday next, for relief of part of the said debts], viz., the soume of fourtie thousand pundis conforme to ane extent to

Extentours  
taxatioun  
Twa of ten.

<sup>1</sup> As appears from a later entry, Skeldye was apparently a reader or minister without a parish, who preached in churches of the Town where there was a vacancy.

<sup>2</sup> See *ante*, 13th December and *A.P.S.*, v. pp. 39-40. The King, reducing the annuallrent on borrowed money from 10 per cent. to 8 per cent., the parliament offered that, "of the ten payit by borrowers for each hundred during the space of thrie yeirs nixt inewing tuo sall be payit to his Majestic." Those who had borrowed at 8 per cent. were to be free of the tax.

be sett presentlie be the ordiner extentors of this burgh Together with the soume of ane thousand pundis to supplie the defectes in ingathering thair of conforme as the same hes bein sett in all tymes [bygane] And the soume of thriescoir thousand pundis as for the haille termes of the extraordinair taxatioun of tua of ten of annualrent as the samin salbe sett and devydit amongst the nichtboures dew in payment thair of ather for the annuellis dew to theme at Mertymes last or that salbe dew heirafter for all the termes thair of be four honest men to be chosen be the counsall to that effect in such maner as salbe prescryvet be theme ather to be conjoynit as ane extent or confoundit with the other or utherwayes as the counsall sall think guid Which four persones salbe suorne to devyde the saids soumes amangst the nichtboures but partialitie and with proportionabill favour and consideratioun to each one according to thair habilitie and that they sall keip secret what they sall learne of everie mans estait and not divulgat the same and that they sall cancell burne and destroy all such nottes as they sall happin to mak concerning any mans estait And becaus it will fall furth that sume of the persounes subject in the said extraordinair taxatioun of tua of ten wilbe of that conditioun estait and qualitie that they will nather have traide nor heretage within burgh and yitt as burgessis willbe subject to the uther taxatioun of fourtie thousand pundis thairfore the saids Proveist baillies and counsall recommends all such to the saids extentours to thair discretioun and ordanis theme with consent foresaid to give to all such at this tyme such ease in the said uther taxatioun as they in thair discretioun sall think meitt as lyikwayes ordanis the saids extentours at thair first dounsetting to tak up the names of the whole nichtboures dew in any taxatioun indifferentlie and thereafter with advyis of the saids four persounes to be nominatt as said is to revise the saids rolles and in ane roll be itselff to sett down the whole persounes names whome they in thair knowledge sall judge to be subject in the said extraordinair taxatioun of tuo of ten of annualrent and deliver the same to the saids four persounes who sall immediatlie thairefter proceid be them selff to the divisioun to eache man his part in maner as they salbe ordaynit and in the meanetyme ordanis the said extentours to proceid in the uther taxatioun of fourtye thousand pundis as said is and for releiff and payment of the rest of the saids soumes whainin the guid Toun is addebted both for taxatioun and uther debtes before mentioned . . . consentis that thair be upliftit yeirly heirefter be extent the soume of fourtye thousand merkis for the spaice of sex yeires beginning the first yeires extent at Mertymes nixt in this instant yeir of God 1634 yeires. . . .

*4th February 1634.*

Anent the  
raising of the  
compositioun  
for the Twa of  
Ten.

[The council and extraordinary deacons appoint William Reid Edward Ferquhare David Makcall and Robert Fleymyng to assess for the "Two of Ten"] and to the effect that the same maybe devydit without divulgatting of anye mans estaitt and with the grittest applause and approbatioun of all persounes dew in payment of the said taxatioun and that possiblie can be they have thocht guid that the



same be first tryed to be doone in maner following before any uther course be taikin and thairfore ordanis the saids four persounes and ilk ane of theme first to confer with everie man anent thair pairt of the said soume if they can be had and if possiblie they can to agrie with theme for ane certain soume for thair pairt thair of ather to be payit presentlie or for which they shall give band to pay within ane schort spacie before Witsonday nixt or utherwayes being referrit to theme be any persounes that they then presentlie condiscend upone thair pairt thair of and uplift the same and tak band thairfore as said is and if anye salbe fund with quhome they cannot agrie nor quho will subject theme selffis to thair judgement and determinatioun that then they give up thair names to the counsall to the effect they may with all diligence be urged to give up inventar or utherwayes persewit conforme to the act of parliament maid anent the said taxatioun And as for these that can not be had the counsall grantis and gives full powar to the saids persounes to sett down thair pairt thair of as thay in thair conscience sall think they salbe proportionable lyabell unto and giff heirefter this calme course sall not be fund sufficient the counsall declaires they will tak some uther course for winning the same with the uther extent presentlie to be sett down be the extantours in ane roll that [ ] neidfull may pas therupone, and the saids persounes compeirand accepted and maid faith in maner conteynit in the said act.

7th February 1634.

Admittis and ressavis Maister Johnne Bowie to be doctour in the hie classe in plaice of Maister Archibald Newtoun induring the counsallis will. . . .<sup>1</sup>

Bowie  
doctour  
hie school.

[James Glasfuird, brother to Patrick Glasfuird, clerk in Leith, handed over his protocol books, and those of the late John Guthrie. Guthrie's two volumes cover from 9th June 1579 to 26th April 1593; Glasfuird's four volumes from 21st August 1590 to 6th June 1633. These are to be given to Mr Patrick Mawer, present clerk of Leith, to be forthcoming to all interested parties.]

12th February 1634.

[Mr Thomas Sydserff, minister in the N.E. parish, is to be minister in the N.W. parish in place of the late Mr William Struthers.<sup>2</sup>

The following persons are admitted burgesses, following on the request of their masters that they should be admitted at the recent banquet given to the Marquis of Hamilton: John Touch and Andrew Lawthean, servants to the said Marquis; John Moncreiff and Thomas Scheill, servants to the Earl of Haddington; Allan Cathcart and William Lauder, servants to the Earl of Lauderdale; John Podyc, servant to the Earl of Southesk; Mungo Law, servant to Sir Archibald Achesoun; Patrick Duncansoun, servant to the Laird of Duddingston; and William Bowman, servant to John Hamilton, nephew of Mark Hamilton, macer.]

<sup>1</sup> *Crawford* (p. 125) tells of Newton, who had been a candidate for the chair of humanity, that he was "odious to the episcopal faction (whose power now was become very great)." He may therefore have resigned or have been dismissed, for he went abroad for a time. On his return he was appointed minister at Duddingston in 1635, and at Liberton in 1639. He had been in the High School since February 1630 (p. 65 *supra*).

<sup>2</sup> Mr William Struthers had been minister since 1614 (*Extracts, 1604-1626*, p. 115).

14th February 1634.

[A committee is appointed for the reception of Mr Thomas Sydserff. The treasurer is to give a dinner for the Bishop and him.]

19th February 1634.

Cowdan  
Master of  
Frensche  
School.

Eleetes Williame Cowdan to be maister of ane Frensche schoole during the counsallis will and appointes lyikwayes for his yeirlye fiall the soume of ane hundreth merkis during lyikwayes thair will and ordanis the baillies to pay the same furth of the reddiest of thair unlawis. . . .

[James Eleis, merchant, announced that his grandfather, the late Patrick Eleis, had left a legacy of 500 merks for support of a bursar in the college, and that his father, the late Patrick Eleis, also had left 500 merks towards the maintenance of the professor of divinity, desiring on his death-bed that his father's previous legacy should be put to the same use, with the provision that his son, James, and his heirs male should have voice in the election of the professor. James Eleis then handed over the said legacies with a sum of 300 merks for arrears of annual-rents. The council accept the legacies with the condition attached.]

Enlarging the  
Colledge.

The Proveist, baillies and counsall being of intentioun for the weill of the colledge and students thairin to enlaige the bounds thair of and finding those houses pertening to Maister Johne Charteres lyand foregainst the entrie of the colledge to be possest be ane number of poore people<sup>1</sup> which gives occasionn to the saids students to withdraw theme selfies frome thair buikes unlawfull wayes Thairfore . . . ordanis James Loch, thesaurer to buye the saids houses from the said Maister Johne upon such easie pryce as he and he can agrie till fairder ordour be taiken for dimolisching of the saids housses and inclosing of the saids boundes. . . .

21st February 1634.

[The sum of 100 merks is to be paid to Patrick Glasfuid for his protocol books.]<sup>2</sup>

26th February 1634.

Conventioun  
of burrowes.

[A Particular Convention of burghs is to be held on 15th March. The commissioners are to come] sufficientlie instructed anent the patent craived be the Lord Spynnies as ane general muster maister and for his fies remittit to the counsall be the estaittes . . . and now craived to be exped and his feyis appointed<sup>3</sup> . . .

<sup>1</sup> *Crawford* (p. 129) tells how these "baggage thatched houses" had been bought and taken down, because they made "the inclosure of the Colledge disproportional, wanting a canton upon that quarter."

<sup>2</sup> He resigned on 11th September 1633 (p. 130). See 7th February (p. 139) anent books.

<sup>3</sup> *P.C.R.*, v. 237, 2nd March 1634. The Privy Council appointed a committee to "confer and reason anent the forme and order of prosecution of the said service and modification of the fees dew for the performance thereof." William Dick and Mr Alexander Guthrie were among the four members for the burghs on the committee.

and siclyik . . . for answering anent the impost of sex schillings stirling to be imposed upone all colls transported furth of this kingdome upon the fourt of Mairche nixt. . . .<sup>1</sup>

*28th February 1634.*

Ordanis the dene of gild to tak down the loftis in the new kirk. . . .

New Kirk lefts  
dountaking.

*3rd March 1634.*

[William Dick and Robert Miklejohn commissioners to the Particular Conventions to be held on 3rd and 15th March.]

*19th March 1634.*

[James Raith, son of Mr James Raith of Edmiston, is to be received burgess gratis.]

*21st March 1634.*

[The late Robert Broun left a legacy of 500 merks to the hospital.]

*26th March 1634.*

[The late Patrick Douglas, baker, left 100 merks to the hospital.]

Electes Maister James Elliot to be ane of the doctors of the hie secole in plaice of Maister James Adamesoun gone away.<sup>2</sup>

Ellot, doctor,  
hie schooll.

*29th March 1634.*

Ordanis the dene of gild and his counsall to admitt and ressave Mr James Drummond to be burgess and gildbrother of this burgh for the ordiner dewes and to repay the same bak againe to him . . . and to remember to gett ane dischairge and renunciatioun frome him for all richt he or the Erle of Perth can pretend to the ministers bousses.

Precept  
Mr James  
Drummond  
burgess and  
gildbrother.

[William Gray and Mr Alexander Guthrie are appointed commissioners to the King on the Town's business, concerning the church and common weal. Letters are to be sent to the Archbishop of Canterbury, the Duke of Lennox, Marquis of Hamilton, and Earls of Morton and Stirling to obtain their favour and concurrence.]<sup>3</sup>

<sup>1</sup> *P.C.R.*, v. pp. 217, 219, 223.

<sup>2</sup> Mr James Adamson was nephew of Mr John Adamson, principal of the College. He was one of the candidates for the recent vacancy of regent of humanity, but apparently was not considered for the appointment. *Crawford* (p. 124) states that he was commended for his ability and that later he was a minister in Ireland.

<sup>3</sup> See Appendix xiii., their letter from Court.

9th April 1634.

Testimoniall  
lauffull birth  
Herring.

Grantis testimoniall of lauffull birth to David Herring traveller in Spruce lauffullie procreat in the band of mariage betwixt umquhill Johnne Herring in Gilmortoun and umquhill Issobel Dairmie his parents and ordanis thair clerk subserve the same and append thair seill of caus seing the samyne was sufficientlie [provin] be famous witnessis in presens of Williame Reid baillie.

11th April 1634.

[Thomas Bonar, merehant, is to be received burgess gratis.]

18th April 1634.

Licence for  
burieing of the  
corps of the late  
Bischope of  
Edinburgh in  
the Kirk therof.

Forsamikle as it has pleased God in mercye to call out of this mortall lyif the Richt reverend father in God, Williame late bischope of Edinburgh and thairfore for the respect that the Proveist, baillies, counsall and deykins of craftis caryed towards the said umquhill Williame Bischope of this burgh in his lyfytyme and being most willing to doe him all the honour possible they can now at his buriall thairfore they all with one consent and applause con-discends and agries that his corps salbe buryed in thair cathedrall churche of Edinburgh in such pairt thair of as salbe thocht most expedient.<sup>1</sup>

[Ratification of the act of 5th March 1624, by which Mr William Hay, son of Sir John Hay of Baro, Lord Clerk Register, at that time styled Mr John Hay, common clerk, was appointed depute-clerk.]

30th April 1634.

[The accounts of the late Nicoll Uduard, dean of gild, and of Joseph Marjoriebankis, his successor, were audited. Uduard was overspent in the sum of 220 li. 6 s. 8 d., which was paid to Marjoriebankis, while the latter had a balance of 929 li. 6 s. 8 d., which was paid over to William Dick, present dean of gild.]

14th May 1634.

Commission  
congratulation  
B. of Edinburgh.

Electes Williame Reid baillie and Williame Carnegye skynner commissioner for theme and in thair names to pas to Dundye to the Bischope of Brichen and to congratulate with him that he is Bischope of Edinburgh.<sup>2</sup>

16th May 1634.

[The weaponshowing is to be held on 5th June.]

<sup>1</sup> According to Keith, he had died on 1st April. He was buried in the choir. *Maitland*, p. 184, gives "A monumental inscription on William, Bishop of Edinburgh, 23rd April 1634."

<sup>2</sup> David Lindsay, son and colleague of David Lindsay, first minister of S. Leith after the Reformation. He succeeded his father on his death in 1613, and remained there till his appointment as Bishop of Brechin in 1627.



21st May 1634.

[The accounts of the masters of the Hospital having been audited, they are found due to the Town 1,196 li. 11 s. 5 d., for the first year, and 52 li. 17 s. 11 d. for the second.]

28th May 1634.

Grantis testimoniall in favours of Maister Johnne Sydserff writer to his Ma. signett and to Archibald Sydserff merchand executours-dative decernit to umquhill Patrick Sydserff serjand major to Colonell Sir James Ramsay Scottisman in Germanye. . . .<sup>1</sup>

Testimoniall  
Sydserffs.

Electes Walter Reid, lafull sone to Andro Reid, staibler burges . . . to be ane teacher of ane vulgar scoole within this burgh.

Reid, school  
maister.

6th June 1634.

[William Gray and William Carnegie are elected commissioners to the General Convention of Burghs in this Town on the first Tuesday of July.]

11th June 1634.

Forsamikle as thair daylie repairs to the toun of Leith divers persounes frome all pairts of the kingdome without any notice takin of thair former lyfe and conversatioun and make thair residence their; and at thair awin handis taks up quhat traid they pleis; whairthrow grit confusioun ayses in the government of the said toun and his Ma. liedges resorting thither ar gritlie prejudged and especiallie be the taelycours sumtyme working oppenlie and sumtyme privatlie in privat housses and the material committed to theme to be maid in worke through thair unskilfulnes ar spoyled sua that the magistrattis ar continuallie trublit be multitud of complaintes arrysing that way for remeid quharof statuttis that non now present nor utheris that sall cum heirefter to the toun of Leith sall ather privatlie or openlie exerce the said craft of taelyour craft bot such as salbe knawin of sufficient skill and knowledge in the said craft and of guid lyiff and conversatioun and approvin to be skilfull in the said craft be such as the counsall sall appoint for thair tryell under the payne of fyve pundis for the first falt, ten pundis for the nixt, and escheitt of all worke salbe fund in thair handis to quhatsumever persounes the saids materials sall apperteyne and ordanis the saids penalties to be applyet for sustentatioun of the poore of the said craft. . . .

Statut  
talycours  
Leith.

[The deacon of the Edinburgh tailors is appointed inspector of all those who wish to practice that craft in Leith, with power to appoint under-inspectors. No prentices are to be received there.]

No one to be admitted to work as tailor in Leith unless he give bond to behave himself soberly and to refer all disputes to the Council of Edinburgh.]

<sup>1</sup> Col. Sir James Ramsay commanded one of the regiments in the Marquis of Hamilton's expeditionary force. See Historical MSS. Commission, *Supplementary Report on the Manuscripts of his Grace the Duke of Hamilton*.

13th June 1634.

[The late Janet Bannatyne, wife of George Foulles, master of the Mint,<sup>1</sup> left in legacy to the hospital 200 merks and 16 d.]

18th June 1634.

Matles letter  
Toun in  
companies.

[William Gray and Mr Alexander Guthrie produced the King's letter anent dividing the inhabitants in companies, of which the tenour follows]: Charles R. Trustie and weilbelovit we greitt yow weil Whairas we have bein petitioned be your commissioners to [signe] a patent for distributing your inhabitants in severall cumpanies<sup>2</sup> and haiveing taken the same into oure royal considera-tioun we have thoctt fitt before we proceid further tuiching that purpose to require yow to erect within your citie such severall cumpanies as yow intend, and so to fitt the way thairof that it may appeare that your intentiones ar reall, and certifie us thairof under your hands and by ane act of your counsall under the subscription of your clerk and seale of your citie whairupone be confident that yow sall find us readye to advance your just and lafull designes, by endowing those companies with such liberties and priviledges as salbe thoctt fitt for your good and sall so protect theme by oure authoritie and utherwayis that it sall appeare that no thing salbe wanting in us whiche may tend to the advancement thairof whairin expecting your diligence we bid yow fareweille from our manour of Greenwich, 14th Maii 1634 : Anent which letter the counsall haiveing advysit hes continewed the resolutioun of following furth of the said propositioun to the nixt counsall day.

Ordinance  
Mitchell  
prisone hous.

Wheras the counsall being informed that George Mitchell baxter was one of these that occasioned the tumult maid within this burgh the [ ] day of Maij last, and understanding that he is servant to Gawin Stevinsoun and Johnne Qubippo baxters who compeirand confessed he was their servand and that he had wrocht with them since the said tumult the counsall ordanis the said Gawin Stevinsoun and Johnne Qubippo to enter the said George in waird within the Tolbuith of this burgh betwixt [and] sex houres at nicht or utherwayes to enter thair awne persounes in waird under the payne of ane hundreth pundis. . . .

22nd June 1634.

Fuird  
tumult.

Wheras James Fuird, prenteis to George Ker elder taelyeour being alledged to be the first beginner and authour of the tumult raised within this burgh about the latter end of the last moneth and the said George compeirand and being examinat what dilligence he had usit in apprehending the said James his prenteis for whome he aucht to be ansuerabill could verifie no diligence

<sup>1</sup> While John Acheson was "generall" of the cunyiehouse, George Foulis was "master." On 15th January 1633, both men reported to the Privy Council their answers to Nicholas Briot's proposals for reform of the currency (*P.C.R.*, v. p. 9).

<sup>2</sup> The companies were first formed in 1626 (*Extracts, 1603-1626*, p. 297).

and thairfore the counsall assigne unto the said George of his owne consent this day aucht dayes to enter the said James under the payne of ane hundreth pundis and wairding of his persoun during the counsallis will.

[Sir John Hay produced the King's letter] willing theme with all convenient diligence to build ane churche for the southeist parochin as also declairing his Ma. resolutioun to think upone some meanes for building of ane uther to theme and ane uther letter willing theme to demolish the wallis of the ylles and vestrie of Sanct Jeilles whair the same is disjoynit frome the churche with the sang scoole and choppes about the same and to repair the breaches and holls of the wall with ane uther for demolishing the wester wall and all loftis and buildings within the wester pairt thair of betwixt and September nixt yitt remitting his farder pleasour to be signifiet be the said clerk of Register ane uther letter requyring theme to meitt with such commissioners as his Ma. had apointed for satling the ministers stipends and securing theme and thair successours thairin,<sup>1</sup> and last ane letter requyring theme to caus the doctors and governours of the colledge with the students to repair to the katedral churche for heiring divyne service,<sup>2</sup> and to build ane plaice therin for theme with the bishops advyse as the saids letters of the daitt the 13th and 14th of Maij last beires wheranent the saids Proveist, baillies and counsall hes apointed the nixt counsall day for advysing and giving ane answer to the Lord Register and for heiring his Ma. further pleasour anent the said wester wall chopes and illes.

Maties letters  
Building of  
Churches, etc.

*25th June 1634.*

[The council order the treasurer to pay to Patrick Wood the money borrowed by William Gray and Mr Alexander Guthrie, commissioners for the burghs in England, being 4,320 li. 8 s. scots. They also order that the further sums advanced to the commissioners, being 2,666 li. 13 s. 4 d. and 2,000 merks, should be asked from the Burghs, as advanced at their desire by the act of the Particular Convention, held in January and order that 1,655 li. 14 s. 8 d. be allowed as the good Town's share, spent in their private affairs.]

Forsameikle as it being heavielie regraitted the last counsall day be the bischope of Orkney the gritt scarcitie and famyne which these of Orkenay and Kaithnes does for the present underlye and thairfore the counsall was desyred that sum course sould be taiken for thair cheritable support for supplie of those pairts Whairunto the lords of his Ma. counsall had given way lyik as also the counsall had appointit the ministrie to be spokin for intimatting the distres of these pairts to the whole people out of the pulpittes and to exhort theme to ane cheritable compassioun of the poore afflicted brethrein [a collection is to be taken on the following Sunday and sermon days of the week

Collectionn  
support  
Orkney  
Caithnes.

<sup>1</sup> *P.C.R.*, v. p. 232, 13th March 1634 : the Privy Council found expedient that the imposition asked by Edinburgh for the ministers' stipends should be laid upon the lands within burgh, in proportion to their rents. 18th Mareh 1634, pp. 234, records the act of Privy Council thereanent which was passed on 28th March (p. 247).

<sup>2</sup> The students of the College had hitherto attended Trinity College Church.

after, attended at the church doors by some of the elders of each parish and others appointed by the council.<sup>1</sup>

*27th June 1634.*

Report  
commissioners  
of burrows.

The counsall declaires and testifies that both after ther commissioners retorne from the last conventioun haldin at Sanctandroes as also this present day the 29th act of the said last conventioun anent commissioners to parliament and conventioun of estaittes and thair concurance was red in counsall and lafullie intimat and siclyk the ellevint act of the conventioun haldin at Montrose anent monopolies to be observed and keiped conforme to the tennour thairof And siclyk declaires the aucht act maid at Montros anent pertiners with unfrie skippers duelling at unfrie ports to be intimat and thair dene of gild ordaynit to trye the contravenars.

*23rd July 1634.*

[David Jonkein, merchant, gifted 500 merks to St. Paul's Work, upon the conditions contained in an act of council of 16th September 1626, in addition to a former sum of 500 merks given on 8th September 1626. The overseers are to employ the interest on the poor of St. Paul's Work.]

Testimoniall  
Jonkein and  
Cruikschankis

Grantis testimoniall to David Jonkein and David Cruikschankis testie-fieing that they schippit in the moneth of October last at the port of Leith in the guid schip callit the "Blissing" of Leith . . . tua drye waire tries the grittest thair of contening thrie hundreth peace of ambobridge buckasies ane caice contening fiftie tua peace of cullored buckrame markit with this mark [ ] Together with ane peace of sayis schewed in reid buckrame pertening to theme to have beyne sold be David Ritchardsoun merchand as factor to theme to be transportit to Caleis in Spayne. . . .

*30th July 1634.*

[Mr Thomas Sydserff, lately Dean of Edinburgh and minister of the N.W. parish, resigned upon his appointment as Bishop of Brechin.<sup>2</sup>

The treasurer is to pay to Mr William Naiper of Wrichtshouses, treasurer of the West Kirk, the sum of 120 li. for the share of the Town and Heriot's Hospital of the extent granted by the parishioners for building a loft in the West Kirk, repairing the manse, pointing the church and building a belfry.]

<sup>1</sup> The famine in Caithness and Orkney had been represented to the Privy Council by John, Bishop of Caithness, on 19th June (*P.C.R.*, v. 283). His words convey vividly a picture of misery: "The ground yields thame no cornes and the sea affords no fishes unto thame as formerlie it wount to doe. The picture of death is seene in the faces of manie. Some devoure the seaware; some eate dogges; some steale foules. Of nyne in a familie seven at once died, the husband and the wyfe expyryng at one tyme. Manie ar reduced to that extremitie that they ar forced to steale and thereafter ar execute; and some have desperatelie run in the sea and drowned thameselves. So great is the famine there that the people of meane estait have nothing and these of greater rank have nothing to spare."

<sup>2</sup> Admitted minister in Edinburgh on 30th May 1611 (*Extracts, 1604-1626*, p. 73 and note).



*1st August 1634.*

[A gratuity of 300 merks is granted to each of the Town's ministers.

Six young men having been imprisoned, for their mutinous behaviour about the end of May, in the Tolbooth and having now acknowledged their guilt, the council, having considered the riot, orders them to ask forgiveness on their knees and to remain in prison till they find caution for sober and quiet behaviour in future.]

*6th August 1634.*

[It was reported that the collection for the distressed people of Orkney and Shetland amounted to the sum of 4,124 li. 9 s. 10 d., besides 228 li. 1 s. 6 d. received from Mr Matthew Wemyss. The money had been spent on pease, which had been sent to the said islands and to Caithness.]<sup>1</sup>

*13th August 1634.*

[The accounts of John Yair, collector of Kirk rents were audited. A balance is due to the Town, over a period of three years, of 2,581 li. 10 s. 2 d.

Instructions anent the rolls of subscribers to the building of the Parliament House.]

*15th August 1634.*

Appointes Williame Reid Robert Fleyming bailies Williame Dick Williame Gray Robert Achesoun Peter Blaikburne Gilbert Mure and Laurence Henrysoun to sett down to Johnne Trotter, younger, commissioner anent the liberties of France his injunctiounes. . . .

Injunctiounes  
liberties of  
France.

*22nd August 1634.*

[The accounts of John Yair, collector of the Kirk rents of Currie, for the years 1630, 1631 and 1632, show a balance of 3,147 li. 10 s.]

*27th August 1634.*

Wheras his Ma. be his missive letter direct to the counsall hes declairit his royall pleasoure for dimolishing the wallis of the illes of Sanct Jeilles disjoyning the same frome the churche with the wester partitioun wall sang scolle goldsmith and uther choppes about the churche betwixt and the first of September nixt yit remitting his farder pleasoure to be declaired be the Lord Register And the said Lord Register comperand declaired that his Ma. wes gratuslie pleased the executioun of his will declaired sould be superseidit to the last of October 1635 yeiris provyding the counsall wald obleis theme to the dimolishing of the saidis wallis choppes and scoole and the counsall acknowledging his Ma. favour and princelie cair of theme they obleis theme that the said wester wall and others wallis of the ylles and songe scoole be dimolished

For dimolishing  
walls of the illes  
of St. Jeils Kirk  
and taking  
down the gold-  
smiths chops  
about the Kirk.

<sup>1</sup> See 23rd June.

betwixt and the last of October 1635 yeires And as for the choppes without the churche the counsall will intimat his Ma. pleasoure presentlie to thair nichtboures and requyre theme to provyid for theme selffes choppes in sum uther plaice of the citie betwixt and Witsonday nixt at which tyme the counsall will tak course for dimolisching the same and fynd out sume way for reedie-fieing the briches maid in the churche wall be the saids choppes And as for the building of ane churche for supplie of the southeist parochin of this burgh now destitut of ane churche the counsall craives in respect of thair present burdeins as taxatiounes and contributiounes that his Ma. wald be graciouslie pleased untill thair nichtboures salbe a littil eased for a lyttill tyme to superceid and in the meane tyme the counsall will think upone sume fitting meanes for building ane churche relaying alwayes upone his Ma. that according to his princelie and fatherlie cair he hes ever shewen to this citie he will tak sume course for building of ane uther churche in the meane tyme for the which and all his princelie favoures as in deutie bund they vowe to consecrate the remainder of thair lyffes in continuall prayer for his longe and happie reigne over theme And as for the satling of thair ministers stipends it is humblie cravit that his Ma. wald be pleased lyikwayes to superceid the present satling thairof in respect now of the vacand tyme and other occasiounes assuring his Ma. in the meane tyme that betwixt and the last of December nixt the counsall will stryve according to thair habilitie and powar to give his Ma. all contentment.

Thrid terme  
voluntar  
contributioun.

Appointes to collect the thrid and last terme of the voluntar contributioun offerit be the nichtboures for building the parliament hous [the four old bailies.]

*12th September 1634.*

Commissioun  
for agriement  
Good Toun for  
Mr Jon  
Adamsouns  
hous in  
Beths Wynd.

The counsall hes agriet to buye that tenement of land lyand in Beths Wynd nixt to the parliament hous presentlie in building and that for the better licht of the said hous and uther causes mooving theme and for this effect gives commissioun and powar to Wilhame Reid and David Makcall to transact and agrie with Mr Johnne Adamesoun present heretor thairof and what sounes of money salbe agriet upone ordains the present thesaurer of the said worke to pay the same. . . .

*17th September 1634.*

[Andrew Quhytt, son of Andrew Quhytt, last jailor of the Tolbooth, is appointed jailor, following on his father's resignation.

William Reid and David Makcall report that the house in Beth's Wynd may be purchased for 3,500 merks. The treasurer to the Parliament House is ordered to pay the sum.]

*24th September 1634.*

[John Davidsoun, tailor, servant of the Earl of Lauderdale, is to be admitted burgess gratis, at the desire of the Countess, when he comes to live in the burgh.

Cuthbert Hathowie, servant of the Earl of Wintoun, is received burges gratis.]

[Sir Alexander Clerk, Provost, produced the King's letter, delivered by the Earl of Haddington.] Charles R. Trustie and weilbelovit we greete yow weill. Whair-as oure late deare father and other oure royall predicessoures wer accustomed upone occasioun of thair services to give ordour for electing such personnes to be Magistrattis of that oure Citie as they in thair judgement thocht most fitt and abill for the publict goods ; we lyikwayes for the goode of oure service tending to the benefeit and advancement of that citie being willing that abill and discreitt personnes be maid choyce of to beare publict charge thairin have heirby thocht fitt to requyre yow that in your nixt ensewing electioun yow present upone the lyittes of your Proveist David Aikinheid<sup>1</sup> and upone the lyittes of your baillies Alexander Speir Archibald Tod Edward Edgar and Alexander Danielstoun and upone the lyittes of the deyne of gild Johnne Sinclare and upone the lyittes of your thesaurer David Makcall and that accordingle yow mak electioun of the said David Aikinheid to be your Proveist the saids Alexander Speir Archibald Tod Edward Edgar and Alexander Danielstoun to be baillies Johnne Sinclare deyne of gild and David Makcall thesaurer for the yeir, as yow tender the goode of our service which notwithstanding we declaire salbe without prejudice of your liberties and priviledges. We bid yow hairtielie fairweill frome oure Court at Theobalds the 16th September 1634. Which being red in counsall contmewis the said mater to the morne at which tyme they ordaine the haill counsall to be convenit with ane number of the old magistrattis and old counsallors to the effect thair advyse may be had therin.

King's Ma.  
letter anent  
the electioun  
of their  
Magestrats.

*26th September 1634.*

Grantis testimoniall of lauffull birth to Johnne Andro merchand resident in the old marke in the toun of Angermunde in the duikdome of Spruce lauffull sonne to unquhill Thomas Andro merchand burges of this burgh and unquhill Margaret Batye his mother under thair seill. . . .

Testimoniall  
Andro.

*30th September 1634.*

The same day forsamikle as the Proveist baillies dene of gild and thesaurer with the old and new counsall and haill deykins of craftis haiveing for obedience of his Ma. letter producit to theme upone the 24th of this instant lytted and elected the persounes therin contenit to be proveist baillies deyne of gild and thesaurer for the yeir to cum Thairfore they lyikwayes protested that this sould nowayis be prejudiciall to thair liberties in tyme cuming and this conforme to his Ma. awin declaratioun sett down in the said letter. . . .

Protestation  
aganis the new  
electioun upone  
the King's  
letter.

Forsamikle as the Proveist baillies and counsall haiveing upone the 24th

For petitioning  
his Matie  
concerning the  
priviledge of the  
electioun of  
Magistrats.

<sup>1</sup> See Appendix i., Nos. 8 and 11. In 1628, according to these letters, Aikinheid was considered to be against the King's interest. There is no evidence as to why his attitude must have changed. The change may have been due to his relationship to the Clerk Register, Sir John Hay.

of this instant ressavit ane letter frome his Ma. for lytting and electing the persounes therin designit to be Proveist baillies dene of gild thesaurer for the yeir to cum whairwith they haiveing acquainted both thair nichtbours as also thair assessours who for remeid of any prejudice the citie might incur through the said letter thocht it fitting that his Ma. sould be petitioned that since they had not onlie not deserved that ther frie election conforme to thair ancient richt and evidents sould be taikin frome theme bot also had in all thinges concerning his Ma. service approvin theme selffes the uttermost of thair powars most obedient vigilant and cairful Thairfore that his Ma. wald be gratuslie pleased to suffer theme injoy that thair priviledge and libertie in all tyme cuming and that to this effect commissioners ane or mae salbe direct wherwith the present counsall being now lyikwayes advyset theranent hes thocht guid and ordaynit that the same course salbe followit furth be thir magistrattis new entering as they wische and tender the guid of this citie and preservatioun of the priviledges and liberties thairrof.<sup>1</sup>

1st October 1634.

[Council for 1634-35: *Provost*, David Aikinheid; *Baillies*, Alexander Speir, Archibald Tod, Edward Edgar, Alexander Danielstoun; *Dean of Gild*, John Sinclare; *Treasurer*, David Makcall; *Council*, Sir Alexander Clerk, William Reid, Edward Ferquhar, George Suittie, Robert Fleyming, William Dick, James Loeh, David Mitchell, James Alesoun, John Bynnie, John Fynn timer, William Hutchesoun, skinner; *Deacons of Council*, William Carnegie, skinner, James Rig, surgeon, George Crawford, goldsmith, James Leslie, tailor, Richard Maxwell, saddler, Patrick Aitkyne, shoemaker; *Extraordinary Deacons*, James Pargilleis, furrier, Robert Wilsoun, wright, Alexander Nisbett, mason, Robert Hunter, baker, Nicoll Henrysoun, flesher, William Sclaitter, weaver, John Crystie, waulker, Robert Lauchlane, bonnetmaker.]

3rd October 1634.

[It having been recommended to the present magistrates to petition the King anent a feared prejudice to their freedom of election] the present counsall . . . hes all in ane voice concludit that first before they sall direct anye commissioners to his Ma. theranent to essay what they can worke and effectuat be thair freinds for procuring ane frie permissioun to theme in tyme cuning for making ane frie electioun conforme to thair richtes and lawes of this kingdome with ane assurance of his Ma. favour which the wrytting of this letter hes feared theme they have indaingered bot ar not conscious of any offence doone be theme and for this effect ordanis letters to be direct to the Erle of Stirling and Lord Register recommending the said mater to thair favour . . . as also to wryte to my lord Register anent the patent of Tobacco.<sup>2</sup>

[A Particular Convention of Burghs is summoned for 4th November.]

<sup>1</sup> The Town records show that the Kings of Scotland had frequently dictated in the matter of the election of magistrates. Still the last intervention had been in 1625 (*Extracts 1604-26*, p. 275).

<sup>2</sup> The King, by letters patent of 19th April 1634, had granted to Sir James Leslie and Thomas Dalmahoy to control and inspect the sale of tobacco for seven years. The reasons given were prevention of the "ungoverned sale and immoderat use of tobacco," and procuring that "wholsome and uncorrupt tobacco" only should be sold (*P.C.R.*, v. 271-3). Later a heavy fine was imposed for unlicenced sale (*ibid*, p. 336, 393).



*4th October 1634.*

[The sum of 20 li. sterling is given to John Wilsoun for his journey to England with letters to the Earl of Stirling and Lord Clerk Register.]

*8th October 1634.*

[John Sinclare and Richard Maxwell commissioners to the Convention of Burghs.]

*22nd October 1634.*

[The bailies accounts for the year 1632-33 are audited. There is a balance of 452 li. 10 s. from the extent and for the fines they are overspent in 506 li. 9 s. 4 d.

A bill of health is granted to the "Blessing" of Leith, bound for Spain and laden with wheat and coal.<sup>1</sup>

Price of tallow and candles, as in the preceding year.]

Electes to be postmaisters for sieing his Ma. liedges weill servit with guid horses in guid furniture David Creichtoun James Blaikie and David Thomesoun. . . .

Electio  
postmasters.

The counsall for causes mooving theme hes [thocht] guid to continew the visiting and ryding of thair mairches to ane more fitting tyme when both the mairches may be better knowen and the seasoun more fitting and thairfore ordanis the same to be rememberit in the moneth of Majj or Jun and ane course to be then taiken for visiting the same.

Ryding of  
mairches  
continewit.

*24th October 1634.*

Issobell Killoch spous to Richard Killoch sailler in Leith compeirand actitt hir self . . . that schoe sall in no tyme heirafter be fund buyeing or selling within this burgh . . . vineger plumedameis spycerie or any kynd of merchandise under the payne of fyve pundis . . . and confiscatioun of the merchandises salbe fund in hir possessioun.

Issobell  
Killoch  
Actit.

*31st October 1634.*

Statut and ordaynit that all nichtboures and inhabitantis within this burgh concure and assist with the constables of this burgh in the executioun of thair offices and whosoevir salbe fund remis or negligent heirin sall incurre ane unlaw of tuentie pundis . . . and farder punischement of thair persounes at the discretioun of the Magistrattis. . . .

Concurrence  
Constables.

*7th November 1634.*

[Re-election of masters of the hospital.

The treasurer having borrowed from Heriot's Hospital the sum of 50,000 li. to make up the 400,000 li. due to the Marquis of Hamilton for the whole taxation, the bailies are ordered to repay the money out of their first receipts.]

<sup>1</sup> See 21st Mareh 1632 and note about export of wheat.

10th November 1634.

South Loch  
unrowpit.

Wheras the gras of the south loch hes bein sett and rouped yeirlie with the gras of the societie mure and with the pasturage of the eister and wester lonnings and the counsall finding the same to draw ane preiudice with it thairfore they ordaine the loch not to be roupit this yeir with the rest quhill they be farder advysit and the same to be rememberit in counsall upone Wedinsday nixt that farder counsall may be taken theranent.

12th November 1634.

King's letter  
concerning the  
election of  
Magistrats.

Wheras Sir Johnne Hay Lord Register haiveing upone the sevint of this instant produced ane letter frome his Ma. concerning thair last electioun of thair magistrattis at Michaelmes last the counsall ordains the same to be registrat in thair counsall buiks whair of the tennour followis *sic suprascribitur* Charles R. Trustie and weilbelovit we greitt yow weill haiveing fund your readye obedience to oure desyre concerning the electioun of your magistrattis at this tyme we thank yow hairtielie for the same and as oure predicessouris did not tak the lyik course bot upone verie important causes we have not doone it bot upone a verie speciall consideratioun bot in regaird of what is past and what we intend heirafter; It is oure pleasoure that you readielie obey and assist theme who have authoritie amongst yow in all things that may tend to the guid government of that citie and advancement of oure service that they may cheirfullie proceed to execut thair chairges assuring yow that we will not onlie protect yow bot will contribute what is further necessarie to that effect for confirming of your present liberties and increasing of theme heirafter as reason sall requyre: so being confident of your best endeavoures for giving us satisfactioun heirin we remitt all particulars to be imparted unto yow frome us by oure trustie and weil beloved counsallour Sir Johnne Hay Knicht oure Clerk Register, we bid yow fairweill frome oure Manor of Hampton Court the 13th day of October 1634.

[Bread, 12 d. loaf to weigh 13 oz. 2 drops; ale, 16 d. the pint; beer, 20 d. the pint.]

19th November 1634.

Whereas the counsall understanding of the literature and qualificatioun of Maister Alexander Gibsoun presentlie regent of humanitie in King James Colledge, and for his guid service doone and to be doone be him promises the first vacand plaice of ane Regent of [                      ]. . . .<sup>1</sup>

<sup>1</sup> Note.—2nd November 1636: this act delcitt at command of the counsall conforme to ane uther act of counsall daitted the said second day of November 1636. See 20th December 1633 (p. 136), when Gibson was elected regent of humanity. The missing word may be "philosophy."

21st November 1634.

Ordains the baillies to speik with the bischop of Edinburgh and to leive nothing undone that may assure his Lo. freindschip to this citie.

For the Bishop of Edinburgh's favour.

[As the bailies on 7th instant were ordered to repay to the treasurer of Heriot's Hospital 50,000 li. borrowed from him and as they previously had borrowed, by instructions 12,172 li. 4 s. 5 d. for payment of certain Town debts, so that the tax collected by them is insufficient for repayment of both sums, they are ordered to borrow from the treasurer to the Kirk Sessiou, 13,393 li. 6 s. 8 d. at eight per cent and to give bond therefor to the said treasurer.]

The two corn mills of Bonnington with kiln and houses are to be set in tack to Alexander Broun, maltman in Leith, John Watsoun in Bonnington mill, John Trotter, maltman in Leith and Andrew Trotter, servant to John Trotter, together with the mill lands and teind sheaves, for seven years from Martinmas last for 1,325 merks a year, paying also the feu duty to the superior.]

25th November 1634.

Wheras be ane customable practique thair hes bein sindrie craftismen manie yeires bygane givin out upone the lyttes of the deykins of craftis of this burgh who hes not bein handie laborers for the tyme, notwithstanding of ane article of the decreit arbitrall pronuncit be his Ma. father of aeternal memorie the continuance wherof may breid many ivellis<sup>1</sup>; thairfore the counsall all in ane voice statuttis and ordaris that in the nixt electioun and in all tyme cuming non be givin out upone the lyttes of the deykins of craftis bot such as ar expert handie lauborers in thair craftis conforme to the said article of the said decreitt, and this to be extendit als weill against those that are presentlie deykins and not handie lauborers as to all other in tyme cuming notwithstanding of any article contentit in the said decreit that may worke to the contrare heirof.

Anent the electioun of deykins of craftis expert handie lauborers.

28th November 1634.

Ordanis ane missive letter to be writtin to Sir Johne Seytoun for his assistance to Johne Trotter in procuing the new impositioun layed upone the merchandis trafficquing in France to be dischairged<sup>2</sup> and ordanis the Proveist and baillies to subscribe the same.

Missive of thanks to Sir John Seytoun.

Wheras Mr Thomas Campble wes employed for teaching in plaice of ane of the vacand ministers . . . and he being now past away; thairfore ordanis the baillies to agrie with Maister Robert Nairne student and grantis unto him quarterlie induring his service the soume of ane hundreth merkis. . . .<sup>3</sup>

Nairne student preacher.

<sup>1</sup> Apparently the fourth clause: Election in special of Deacons. "Thereafter the saids Provost, Baillies and Counsell sall nominat and lytt three persons of the maist discreet, godly and qualified persons of every ane of the saids fourteen Crafts, maist expert hand-labourers of thair awen craft. . . ." See p. 113, King's letter as to.

<sup>2</sup> See 15 August (p. 147 *supra*).

<sup>3</sup> By an act of council of 15th November, Mr Thomas Campbell was allowed an extra 50 merks for his labours.

*17th December 1634.*

[The extenteris are to extent the neighbours for 40,000 merks and for 1,000 merks for the expenses of collecting.]

*19th December 1634.*

Division  
taxation  
burrowis.

Ordanis the baillies to devyde his Maiesties ordiner taxatioun grantit at the last parliament amongst the whole borowis conforme as it hes bein sett doun of before and ordanis thair clerk to registrat the samin into the stent bookes and the thesaurer clerk to extract the same under his hand and give the same to his collectors and thair deputtis.

*24th December 1634.*

King's Ma.  
letter.

Compeirit David Aikinheid, Proveist and producit his Ma. letter direct to this citie, daittit the 24th of November last, for taking away of his Ma. saitt in Sanct Jeilles Kirk whair of the tennour followis : . . . [The space is left blank].

*31st December 1634.*

Statut  
thesaurer  
Kirk rentis.

Forsameikle as the counsall considdering that in tymes past the ministers to landward thair stipends and uther deutyis hes bene payit furth of the kirk rentis of this burgh be the preceiding collectors which course hes proven to be ane burdeyne to the saids collectors As also ane course of neglect in the ingathering of the anniversaries and uther kirk rentis whairby thair comptes hes being oft delayed to the preiudice of the citie for remeid quhair of the counsall statuttis and ordanis that in all tyme cuming whosoever salbe chosen thesaurer to the kirk counsall sall mak payment of all the stipends and uthers deutyis dew to be payit furth of the said kirk rentis to the persounes to whome the same ar addebted And he to be chairgit with the said whole kirk rentis conforme to the saids collectors comptes yeirlie to be maid, and for this effect ordanis the saids collectors to mak payment to him of the saids rentis which salbe allowit in thair yeirlie comptes. . . .

*2nd January 1635.*

Commission  
anent provision  
of ministers  
stipends.

Wheras his Ma. haiveing be his missive daittit in October last directed to the counsall requyred the provisioun of the ministers stipends and especiallie the first minister his stipend to be satled which wer delyverit be the lord Register the last counsall day, as also calling to remembrance these thinges promittit in the act maid the [ ] day of August last the counsall apointes [nine persons] to meitt and confer anent the premisses and to report to the counsall thair advyse theranent that farder course may be taikin for his Ma. satisfacioun.



*7th January 1635.*

Wheras his Ma. be his missive letter direct to the counsall did signifie his pleasure for apointing commissioneris for treating with such commissioneris as it hes pleased his Ma. to apoint for modifieing and provyding of the ministeris of this burgh with sufficient stipends for obedience whair of the counsall hes nominat and elected . . . the Proveist Alexander Speir Archibald Tod deyne of gild thesaurer Sir Alexr. Clerk George Suittie Maister Alexander Guthrie and Williame Carnegie skynner commissioneris for theme for treatting with his Ma. commissioneris anent the saids ministers stipends and ordanis theme to report to the counsall before they conclud.

Commission  
anent the  
ministers  
stipends.

Forsameikle as his Ma. haiveing signified his will and pleasure to the counsall for dimolisching of the goldsmith and uther choppes about the churche of Sanct Jeilles Thairfore compeired the relict of Johnne Lamb Johnne Scott relict of David Murray Hew Kennedy David Thomesoun Johnne Frisell Johnne Mylne Thomas Cleghorne James Macalay James Danielstoun Adame Lamb James Stalker and Andro Boyes present occupyers of the saids choppes to whome the counsall intimat his Ma. pleasure for removing from the saids choppes to the effect the same may be dimolischit and ordanit theme to remove thairfra at Witsounday nixt whairupone David Makcall thesaurer askit actes and instruments.

Dimolishing  
goldsmiths  
choppes.

*14th January 1635.*

Ordanis the thesaurer . . . to buy and provyide anc carpet cloath for the lordis of counsall thair taibell. . . .

Carpet cloath  
to the lords.

*23rd January 1635.*

[The executors of Patrick Tuedie, merchant, produce a legacy of 200 li. for the poor of the burgh, to be invested in land.]

*6th February 1635.*

[A legacy by the late Allane Levingstoun, merchant, to Trinity Hospital.]

*18th February 1635.*

Wheras the counsall understanding that the buriall plaice in the Grayfriars is becum scairce capabell of the dead bodyes which could be buriet therin which is occasioned through wainscott kistis and considdering that thair is no uther plaice for the burialls within this burgh; thairfore statuttis and ordanis that no wainscott kistis be brocht within the said buriall plaice with certificatioun that such as sall present thair deid in the saids kistis to be buryet in the said plaice salbe forced to tak bak thair deid and dischairgit of the benefeit of the said plaice and ordanis this to be intimat through this burgh be sound of drum that none pretend ignorance thair of.

Aganis  
Wainscott  
mort kists.

*20th February 1635.*

[The last treasurer is to pay to the widow of the Bishop of Edinburgh the teinds of the part of the moor near St. Roch's Chapel, of Greenside, of the land between the Society Port and Borrow loch.]

*4th March 1635.*

[The accounts of David Makcall, treasurer to the building of the Parliament House from May 1632 to November 1633, show a charge of 17,237 li. 15 s. 2 d., and a discharge of 17,712 li. 7 s. 6 d. The present treasurer to the work is to repay the sum due to David Makcall from the first available money of the contribution granted by the neighbours.]

*11th March 1635.*

[The accounts of John Fleyming, treasurer to the building of the Parliament House from November 1633 to November 1634, show a charge of 11,228 li. 13 s. 6 d., and a discharge of 12,847 li. 1 s. 4d. John Hilstoun, present treasurer, is to repay the sum due, as above.]

Ministers  
stipends.

Wheras his Ma. being pleased to signifie his Royall will and pleasure to the counsall anent the provyding of thair ministers of competent stipends whairwith thay being advysed and being willing to give his Ma. all the satisfacioun that lyes in thair powar they have agriet and consentit that in tyme cuming that the first four elder ministers possessing the first plaice of the ministrie of eache parochin within this citie sall have in constant stipend yeirlie the soume of tua thousand merkis . . . and tua hundreth merks . . . yeirlie for thair hous mailles eache of theme and the second ministers serving the Cure of the second plaice of the ministrie in lyik maner in eache of the saids parochins sall have in constant stipend yeirlie eache of theme the soume of threttein hundreth merkis mony forsaid and tua hundreth merkis yeirlie for thair hous maill and that in full contentment of what they or thair successours can anie manner of way clame or seik heirefter. . . .

Ministers  
Thomesoun  
Fairlie  
stipends.

Wheras the counsall haiveing agriet and condescendit anent thair ministers stipends both of the first and second plaices and considering that Maister Alexander Thomesoun and Maister James Fairlie<sup>1</sup> present ministers of this citie haive served in thair functiones this lang tyme bygane Thairfore and for the love and favour they carie unto theme they have agriet and consentit that the said Maister Alexander and Maister James sall have during thair service notwithstanding of the former agriement each of theme thair stipend acquivallent to the stipend appointed for one of the fust ministers. . . . And declaires that this salbe no preparative to any uther that sall fall to supplie the second of the ministrie of this citie.

<sup>1</sup> Mr Alexander Thomson had been minister since 1626 ; Mr James Fairlie since 1630 only, but he had been professor of divinity in 1629 and, before that, minister in Leith.

Wheras the counsall haiveing for satisfioun of his Ma. agried anent  
 thair ministers stipends in tyme cuming and haiveing also sett down certan  
 articles be ane nomber apointed to that effect anent the satling of thair ministrie  
 heirefter ; thairfore ordanis the saids personnes to prosecut the saids articles  
 diligentlie and recommends the same to thair cair.

For settling  
 ministers  
 stipends.

*13th March 1635.*

[The accounts of James Loch, treasurer for the debursements on the King's visit, show that he spent 41,489 li. 7 s., which is to be allowed in his first year's accounts. He is to be allowed the annualrent of a third part of the sum of 58,000 merks, borrowed by him at Whitsunday 1633, for the Martinmas term of his second year's accounts. He is to be charged with the price of 50 planks sold by him, being 16 li. 13 s. 4 d., and with the price of the actors' vestures and other things sold by him.

Mr Alexander Hendersoun is elected procurator-fiscal in the place of the late Mr John Dicksoun.]

*25th March 1635.*

[The stipend of Mr John Hall, minister at Dumbarne, being 550 merks, with the vicarage teinds and 20 merks for the communion elements, it is settled that, after the expiration of the present tacks, the stipend is to be 650 merks with the vicarage teinds and a chalder of victual, two parts meal and one part bear.]

*30th March 1635.*

[Mr James Hannay, minister at Holyroodhouse,<sup>1</sup> is appointed to the first charge of the northwest parish, vacant by the translation of Mr Thomas Syidserff to the Bishopric of Brechin. Among other preparations for his reception the treasurer is to have a dinner made for him.]

*4th April 1635.*

Wheras the counsall resenting manye tymes the daingers they underlye  
 and the manye ivellis daylie arrysing to the inhabitants of this citie and becaus  
 the preventioun of such business did require secrecie Thairfore they did  
 committ the same to the lord Proveist Archibald Tod Johnne Sinclar dene  
 of gild and Mr Alexander Guthrie who haiveing talking the same to thair  
 consideratioun have thocht guid that sum persoun of credeit sould be imployit  
 theranent Thairfore the counsall ordanis the saids persouns to sett down  
 thair informatioun in all particulars in writt and to signe the same with thair  
 hands and to imploy such as thay sall think meitt for performing the same  
 to the good of this citie and what they sall doe theranent the counsall will  
 hold firme and stable.

Electio  
 commissioners  
 Tonnes affaires  
 secrecie.

<sup>1</sup> He was Dean of Edinburgh at the time of the riot in St. Giles in 1637. In 1629 he had asked the bailies of the Canongate for the sum of 1,000 li. for a manse. The latter, after taking legal advice as to their liability, resolved to tax the feuars of the burgh to raise the money.

8th April 1635.

Overtoures  
vulgar  
schoolmaisters.

[A committee of four is appointed] to advyse anent overtoures for the vulgar scoole maisters with the principall and anie other they think meitt and to report to the counsall.

Understanding of the signature procurit be Sir James Lockert for executing of the actes of parliament following viz. the 60 act King James his 4 pl. the 86 of the said K. James his saxt parliament and the tent of the said King James his sextein parliament maid anent the fisching and haiveing opposed the same the counsall hes assignt the first counsall day of Jun nixt for heiring the borrowis and givin in ther reasounes against the same.<sup>1</sup> [For which reason a Particular Convention is summoned for 28th May.]

[Commissioners to the above Convention, John Sinclair, dean of gild and Richard Maxwell, saddler.]

15th April 1635.

[A gratuity of 300 merks is granted to Mr John Scherp, professor of divinity in the college.]

22nd April 1635.

Cattollogue  
buiks  
librarie.

Compeirit Mr Johnne Adamesoun principall of King James his college within this citie and presentit ane cattollogue of the buiks givin in to the librarie the yeires of God 1633 and 1634 which the counsall ordanis the same to be putt in with the cattollogue givin in be him.

Electio  
Logye keiper  
of the librarie.

Wheras the counsall being of intentioun that the buiks which haith bein gathered to the librarie within King James his colledge sould be maid patent to scollers for the better advancement to learning hes thairfore thocht guid that ther be ane elected to be keiper of the said librarie to attend the samin and to keip the samin oppen at such tymes as salbe appointed for this effect And thairfore hes nominat and elected and be thir presentis nominattis and electes Maister Kenneth Logye sone to James Logye induellar within this burgh to be keiper of the said librarie during the counsallis will<sup>2</sup> upoun the conditiones and provisiounis heirefter to be sett down be the counsall and appointes unto him for his yeirlie stipend the soume of four hundreth merkis to be payit to him quarterlie . . . and this upoun provisioun that he find sufficient caution for doeing his duetye conforme to the provisions to be heirefter sett down and that non of the saids books salbe vitiat or taiken away. [A committee is appointed to set down the instructions and to deliver the books on inventory, till when the principal is to keep the charge of them.]

Electioun  
Pringill  
chirurgion to the  
poore.

Electes David Pringill to be ordiner chirurgian to the poore in plaice of unquhill Henry Aikman, laitt chirurgian to the said poore. . . .

<sup>1</sup> *P.C.R.*, v. p. 530. The commission to Sir James Lockhart, younger, of Lee, to enforce the acts of parliament against "slayers and transporters of herring and white fisne." A committee of the Privy Council was appointed to hear the matter in presence of Sir James and the burghs (26th March 1634). On 31st March the Privy Council postponed the passing of the signature till June and ordered that the burghs should be warned to prepare their case in writing.

<sup>2</sup> *Crawford*, p. 127.



24th April 1635.

Wheras the Proveist baillies and counsall of this burgh for the tyme haiveing at the fundatioun of the colledge within this burgh caused ane librarie to be keipit for gathering of bookes for the use of students and advancement of learning within this citie as also hes at divers tymes givin and dotted upone thair awin chairges sindrie bookes for the said librarie so that the samin is now growen to that perfectioun that the same may be verie profitabile to all students, and for this effect the counsall ordanis the said librarie to be maid patent to all students who salbe immatriculat and mak faith in maner underwrittin and for this caus they have maid choyce of Maister Kenneth Logye to be keiper of the said librarie upone the provisious instructiouns and injunctiouns after following which they ordayne to be keiped be the said Maister Kenneth during his service thair As also ordanis him to find caution for keeping of the saids injunctiouns and for making the saids buiks furtheuming conforme to the band to be drawin up theranent. Followis the injunctiouns and instructiouns sett down to the keiper of the librarie.

Injunctiouns  
and  
instructiouns  
Logye keiper  
of the librarie.

Imprimis the said keiper of the librarie sall keip the same patent to all priveleged persouns in the moneths of October November December Januar and Februar frome ten houres in the forenoone till twelf and frome tua houres in the efternoone till four at evin And in the moneths of Mairche Aprile May Juin and Julij frome sevin houres in the morning till nyne before noone and frome ten before noone till tuelf in the midday and from tuo in the efternoone till four at evin.

Item he sall be himselff attend the foresaids tymes and not to commit the trust to no uthers.

Item he sall deliver to the students and readers the bookes they sall call for and sall at the apointed tyme repone the same in thair owne plaices.

Item he sall not len anie of the bookes to anye persore quhatsumevir nor suffer anye of theme to be transported furth of the said librarie for any tyme schort or lang.

Item he sall cairfullie sie that none of the bookes be blotted within or without or anie wayes vitiat.

Item he sall suffer none to reid or use anye of the saids bookes but such as ar immatriculat within the said colledge and before thair admissioun sall subserve with thair hand and mak faith in presens of the principall tuo of the rēgents and the said keiper that they sall nather steill nor tak away any book or bookes furth of the said librarie nor cancell blott score raze or delet anything out of anye of theme nor sall nowayes vitiat or hurt the same and that they sall nevir cum in the contrar of the colledge bot sall advance the same to the uttermost of thair powar.

Item he sall keip ane book of all the persounes names admittit to the use of the said librarie.

Item he sall tnyse in the yeir dicht the saids bookes and sall upone his owne chairges keip ane fyre within the said librarie for aireing of the saids bookes in the moneths of October, November, December, Januar and Februarij.

Item he sall admitt none to thair oath who hes not being educat within the said colledge before first they give in some new book to the said librarie.

Item he sall not suffer anie students to tak down any buiks at thair awin hand that sall not be chained.

Item all such bookes as salbe givin in be ane persoun or salbe givin in be the principall and regents at the yeirly laureatiouns he sall at all tymes cum to the counsall and give theme ane nott thair of under his hand and that at the first snbsequent visitatioun the same may be added to the cattollogue of the rest.

Item he sall with all diligence efter his ressaitt of the saids books be inventar dispose the haill bookes according to thair volumes in several pressis and shelfis and accordinglie sall mak ane alphabetical cattollogue therof that the samin may be the more readilie fund out, as also ane uther contening the diverse subjects treated upone the diverse authors.

Item as the bookes salbe givin in he sall adde the same to the said cattollogue. Which injunctiouns and instructiounes being red and intimat to the said Mr Kenneth he agriett thairto and obleissed him selff for fulfilling therof.

*29th April 1635.*

[Mr David Fletcher is elected second minister of the S.E. parish.]

*1st May 1635.*

Act Agriement  
be the guid toun  
of aucht aikers  
and half of land  
to be disponsit  
be theme to  
Heriot's  
hospitall.

Wheras the Proveist, baillies, counsall and deacons of crafts haiveing agriet to dispone to Heriot's hospitall aucht aikers and ane half of land of these aikers acqyrit be the guid toun frome the laird of Innerleith conforme to ane act of counsall daittit the 6th of Februarij 1628 yeires for the soutes of money contenit in the said act <sup>1</sup> and it being now tyme that that parcell of grund sould be inclosed be itself and appropriat to the use foresaid Thairfore ordanis ane letter of dispositioun and alienation to be drawin up quhairby the said Proveist baillies counsall and deacons of craftis in full satisfactioun of the said act and soutes of money thairin contenit disponis the said parcell of grund as the samin is inclosed and to be inclosed presentlie upone the chairges of the said hospitall with the haill dyik laitlie buildit be the counsall and to be perfytted lyikwayis be the said hospitall and pertinents thair of to

<sup>1</sup> See p. 41 *supra*.

be haldin of the Proveist baillies and counsall in frie blainsche for payment of ane pennye and ordanis the Proveist baillies and counsall to subscrieve the same with the chairtour to follow. . . .

Wheras the Proveist baillies and counsall haiveing in anno 1633 caused draw up ane petition to his Ma. and estaittes convenit at this burgh in the moneth of Junij the yeir foresaid remonstratting the burdein the commoun guid of this burgh did underlye through inlaik of uther sufficient meanes for intertayneing of thair ministrie and thairfore desyring warrand for levyng of the whole inhabitants of this burgh the soume of tuelff thousand merkis money of this realme (the lords of counsall and lordis of sessionn accepit) conforme to the quantitie of the maelles of thair housses quhairin they and eache of theme doeth resyde with powar of appointing of persounes for raitting of the saids mailles which being remitted to the consideratioun of the lordis of his Ma. most honorabill privie counsall the saids lordis ordanit the said soume to be upliftit of the saids inhabitants And the saids Proveist baillies and counsall to appoint certain persounes for valewing of the haill mailles of the housses within the said burgh and for destributing of the said soume amongst the said inhabitants conforme to the saids mailles as ane act of counsall daittit the 18th of Mairche 1634 haiving the strenth of ane act of the said parliament at mair length beires And the saids Proveist baillies and counsall considdering that at his Ma. desyre they have agreit to settell the ministrie in thair yeirlie stipends in all tyme cuning and that at a far heichar raite than evir was givin to theme of befoire which burdein thair commoun rentis aucht nowayes to beare nor is abill to defray the same Thairfore they have conforme to the said act chosen out of eache parochin within this burgh for valowing of the haill mailles of the housses within this citie lyik as they be thir presentis grantis and gives unto theme full powar and commissioun for passing through the haill citie and tryeing of quhatt maill everie tenement duelling hous laich tavern sellar or chamber according as the same is joyntlie or distinctlie inhabited be whatsumevir persoun may pay *communibus annis* in constant rent. Which being doone and ane inventar taiker of the saids noussis and thair inhabitants They ordayne the saids persounes to sett down ane perfyte roll thair of under thair handis and to distribute the said soume amongst the saids inhabitantis proportionallie conforme to the mailles of thair housses which they possess and to give in the same to the saids Proveist baillies and counsall to the effect that such executioun may pas therupone as is contenit in the saids actes and becaus the said new augmentatioun is ordaynit to begin at the present feast of Beltan Thairfore they have maid choyce of the persounes underwrittin for raitting of the saids mailles and distributting of the said sonne with all diligence viz. in the Northwest parochin Thomas Charteres Johnne Fleyming Thomas Patersoun taelyeir Alexander Mure skynner In the Northeist parochin Robert Halyburnetoun Johnne Crawin James Guthrie skynner James Broun, cordiner In the Southeast, Robert Achesoun Laurence Henrysoun, David Douglas chirurgian David Nisbet baxter In the Southwest

Act 12<sup>m</sup> merkes  
to be levyed of  
the whole  
inhabitants of  
this burght.

George Baillie Patrick Baxter Adam Lamb goldsmith and Johnne Ormestoun hammerman. Which persounes compeirand accepted and gaive thair aithes that they sall doe thair faithfull deuty in the said raitting and distributioun but partialitie.

*6th May 1635.*

[Mr William Colein, minister at Cramond, elected second minister of the N.E. parish.

The extraordinary deacons ratify the disposition to Heriot's Hospital of part of the land bought from the laird of Inverleith and the act anent rating.]

Testificat  
schip cast  
away.

Grantis testificat to Colonell Mathesoun testifieing that the schip callit the "George of Leith" quherof unquhill Johnne Calder was maister was cast away at Bambreich Castell the 13th of Januar last with the baill mariners.

Precept  
Frensch  
scoolemaister.

Grantis to Williame Cowdoun, scoolemaister of the Frensch schoole the soume of fyftie merkis yeirly in augmentatioun of his former fiall during the counsallis will.<sup>1</sup>

*13th May 1635.*

[The weaponshowing is to be held on 10th June.]

*15th May 1635.*

[A committee of ten is appointed to visit the Town's marches.]<sup>2</sup>

*20th May 1635.*

[The treasurer having borrowed from John Levingstoun, tutor to Thomas Levingstoun, the sum of 4,000 merkis at eight per cent., therefore he is to pay off a similar sum for which the council now pay ten per cent.

The treasurer reported that he had paid 10,000 merkis to James Murray. He also reported that he had paid 13,120 merkis to Patrick Wood, merchant.

The treasurer reported that he had borrowed 13,000 merkis from Mr John Skein, clerk to the bills, at eight per cent. He is to pay off so much, for which the council now pays ten per cent.

John Sinclare, dean of gild, and James Leslie, tailor, appointed commissioners to the General Convention of Burghs.]

*22nd May 1635.*

[Hew Wichtman, merchant, left a legacy of 500 merkis towards the support of some poor person to be presented by David Makeall. The council permit him to present a poor person to be supported in the hospital, subject to their approval.]

<sup>1</sup> See 19th February 1634 (p. 140 *supra*).

<sup>2</sup> See 22nd October 1634 (p. 151 *supra*).



27th May 1635.

[Colonel George Mathesoun received gild brother by right of his father, the late William Mathesoun, gratis.]

24th June 1635.

[The late George Grieve, customer, left 100 merks to the poor of the hospital.]

26th June 1635.

Ordanis the thesaurer to pay to Johnne Smith the house maill of the hous whair my lord chancellour does presentlie resyde.

Compeired David Aikinheid proveist and producit his Ma. letter direct to the counsall which being red and considderit the counsall ordanis the same to be registrat in thair counsall bookes wherof the tennor followes Trustie and weilbelovit we greitt yow weill havieing understood how that in obedience of oure pious and princelie desyre yow have of late modified a provisionn in favoures of the ministrie of that oure citie which we tak as acceptable service doone unto us and for which we give you hairtie thankis, we are heirby pleased to ordaine your said modificatioun to stand as a constant stipend at all tymes heirefter to theme and thair successouris in thair church. We bid you fairweill frome oure maner of Greinwitche, 22 Maij 1635, *sic subscribitur*, Chairles R.<sup>1</sup>

King's letter  
modifiet  
stipend to the  
ministrie.

1st July 1635.

[The council, by their act of 12th September 1634, having appointed two persons to treat with Mr John Adamsoun for the purchase of his land, lying west of the new Parliament House, approve the agreement for a purchase price of 3,500 merks.]<sup>2</sup>

3rd July 1635.

[Mr Alexander Thomesoun, second minister in St. Giles, and Mr James Fairlie, second minister at Grayfriars, are to have the next places as first ministers, which shall fall vacant in the city.]

The counsall finding that notwithstanding the colledge yeirlie after the vacance upone the first of October is maid oppen and the principall and regents does attend the scoollers entrie yitt few or none of the scollers enters preceislie at the said day and the most pairt does not resort thither before Mertymes whairby the colledge is much dampnified and the students preiudged in ther course of learning Thairfore the counsall statuttis and ordanis that the principall and regents sall preceislie attend the said first day of October in the morning and continuallie thairefter as also ordanis the hail scollers to meitt and convey preceislie the said day under the payne of tua s. scottes money to be exacted of each absent for each day of thair absence be the princi-

Statut scollers  
of the colledge  
to convey  
yeirlie at the  
first of October  
in the morning.

<sup>1</sup> See 11th March 1635 (p. 156 *supra*).

<sup>2</sup> See p. 148 *supra*.

pall and regentis and whom they sall appoynt to be applyed *ad pios usus accademie*, and that none pretend ignorance heirof ordanis the principall upone Wednesday nixt to intimat this present ordinance to the scollers as also ordanis yeirlic at the dimissioun of the scoollers at Lambes.

Statut  
dischairging  
... to grant  
licence to the  
scollers to goe  
to anie  
burialles.

Understanding that the scollers within the colledge ar much withdrawin frome thair studies be invitatiounes to burialles to thair gritt preiudice in thair advancement in learning Thairfore the counsall dischairges the principal frome granting any licence to the saids scoolleris to goe to any burialles whatsumevir except of such as hes being benefactors to the said colledge or old magistrattis lords of counsall and sessioun clerks or pryme advocattis or students or scollers within the said colledge allanerlie.

17th July 1635.

[The council ratify former agreements as to the valnation of the teinds of Easter and Wester Wemyss with the Earl of Wemyss and his son, Lord Elcho.]

25th July 1635.

Agriement to  
the building of  
two churches  
and repairing of  
St. Geilles  
churche.

[The council and sundry neighbours being assembled]. Wheras it being ampie relaitted that thair haiveing ane intentioun cum to the counsallis knowledge for putting of the act of Parliament maid anent the transporting of money to executioun they had caused thair freinds deale with his Ma. for ane pardoun thairof wherin thair wes such difficultie fund that except the counsall vald undertak the building of two churches within this burgh and repairing of Sanct Geilles thair was no meanes left to frie the nichtboures of the said penall statut Wherwith the nichtboures foresaid being weill advysed and with the consequence they have applaudit and agreit that the counsall sall undertak the building of the saids churches and repairing of Sanct Geilles and remittes the maner of assurance to be givin to theme to the counsall for performing thairof to the counsallis owne best advyse and conclusioun to be impaired to theme heirefter with the tennor of that which salbe demandit of his Majestie anent the bygaine dischairges of the said statut as also for ane solid course to be taiken heirefter theranent that when necessitie of famyne or uther necessar traid does inforce the saids transgressiouns the nichtboures may be put *in tuto* of the said act of parliament.<sup>1</sup>

29th July 1635.

[A legacy of 300 merks is left to the hospital by the late Cristian Rig, widow of Mr John Rae, schoolmaster.]<sup>2</sup>

<sup>1</sup> See *A.P.S.*, v. pp. 181, ordering the enforcement of the statutes anent export of money (A.D. 1625). *Ibid.* p. 217, the convention of Estates in 1630 remitted all penal statutes as remitted by previous parliaments, but this act does not name the export of money, not remitted, as seen above. *Ibid.* p. 43, the parliament of 1633 expressly excepted the transport of money and gold from the penal statutes which were remitted.

<sup>2</sup> Mr John Rae, master of the High School, who died in the end of February 1630, also left a legacy to the hospital (p. 76 *supra*).

1st August 1635.

[With reference to the act anent the building of two new churches for proeuring immunity from the Act of Parliament anent exporting money] ordanis that in consideratioun the workes craived to be doone ar both necessar pious and religious that thairfore the whole nichtboures salbe convenit before the magistrattis severallie eache one be theme selfis als weill such as may fall under the compas of the said act of parliament as they who ar altogither innocent and frie therof and that thair chiritie and benevolence salbe tryed be causing theme subseryve with thair handis what they will offer and obleis theme selfis to give to the saids magistrattis the said magistrattis haiffing alwayes ane consideratioun of theme as they sall think may fall within the compas of the said statut. And for this caus ordanis four buikes to be maid to be delyvered to the saids magistrattis wherin eache persoun according to thair quarter wherin they may resyde with thair awin hand subseryve what they will doe and performe towards the saids churches conforme to the band to be drawin up in the beginning of the said booke and if the soumes so offered salbe fund sufficient to compleitt the saids workes at the sicht of the counsall then and in that caice it is ordaynit that the counsall sall give all such ressonable assurance to his Ma. for building of the saids churches and repairing of the edificie of Sanct Geilles as salbe requyred His Ma. alwayis pardoning all bygaine escapis and securing of the nichtboures frome the saids bygainis in all tyme cuming and if the saids soumes sall not amont to the foresaids soumes desyred then and in that caice that some uther course be taiken quhairby the executioun of the said act may not cum into the handis of others to thair further preiudice if possiblie the same can be effectuat And last ordanis ane course then also to be taiken that the nichtboures may be frie of the said statut whensoever they sall transport money for victual in tyme of necessitie and they ar forced thairto be necessitie of traide and ordanis the said tryell to be taiken with all diligence.

Act . . .  
undertaking  
of the building  
of two churches  
with the  
reparatioun of  
the edificie of  
Sanct  
Geilles. . . .

14th August 1635.

[John Dicksoun, surgeon-extraordinary to the King, made burgess and gild-brother by right of his late father, Thomas Dicksoun.<sup>1</sup>

Walter Rattray, servitor to the Earl of Seaforth, is admitted burgess gratis.

George Neill, messenger, is admitted burgess at the request of the Lord President.]<sup>2</sup>

19th August 1635.

[As John Hilstoun, treasurer to the Parliament House, is willing to advance money for the work, the council bind themselves and their successors to repay him.]

<sup>1</sup> See 19th September 1627 (p. 34 *supra*), where another son of Thomas Dickson had been accused of murder.

<sup>2</sup> Sir Robert Spottiswoode of New Abbey and Dunipace, appointed upon the death of Sir James Skene (q.v.)

21st August 1635.

[The treasurer's accounts for the two years of his office show a balance due to him of 9,084 li. 1 s. 4 d., for which a bond is to be given.]

Precept  
magistrattis  
to tak notice of  
thair nicht-  
boures as does  
not so  
contribute  
to the bulding  
of the tuo  
churches . . .  
as the necessitie  
of the worke  
does require.

Forsameikle as the nichtboures charitie wes ordaynit to be tryed be the Proveist and baillies towards the building of tuo churches and repairing of Sanct Geilles for the causes and conforme to ane act of counsall of the daitt the first of this instant and the saids Proveist [and] baillies haiveing divers tymes mett and wairnit sindrie nichtboures yitt the saids nichtboures does nather conveyin nor does schew themeselffis such as the necessitie and charitie of the said worke does require Thairfore the counsall ordains the magistrattis to tak speciall notice of such refractive persounes and to delet thair names to the counsall to the effect such ordour may be taiken therant that non give the lyik heirefter.

28th August 1635.

Mortificatio  
Dauling  
Northeast  
sessioun.

Forsameikle as Thomas Dauling lafull sone to umquhill Maister Johnne Dauling advocat hes mortified and givin to the northeast sessioun *ad pios usus* the soume of Thriescore sex pundis fourtein shillings the annualrent thair of to be allowit for his monethlie [contribution] during all the dayes of his lyfytyme and efter his deceis quhen it salhappin the samin principall soume to be mortified in all tyme thairefter to the use of the poore Thairfore the Proveist, baillies and counsall ratifies and approves the samin and ordanis the kirk thesaurer of this burgh in all tyme cuming to be comtabill for the said principall soume to the use of the poore and ordanis the said Thomas Dauling his name to be delate out of the rolles of thair contributioun and fries and exoners him frome payment of any contributioun during all the dayis of his lyfytyme. . . .

[James Forrester, servant of David Aikinheid, provost, to be received burgess. The dean of gild is to advance the dues.]

2nd September 1635.

Precept  
thesaurer  
Moffett.

Ordanis David Makcall, thesaurer, to pay and deliver to Major Thomas Moffett the soume of thrie hundreth pundis money for cloathing of certan sojournes quhilk he is to transport furth out of this cuntrey. . . .<sup>1</sup>

23rd September 1635.

Augmentatioun  
hall  
Braidfoote.

Forsameikle as Hendrie Braidfoote wha keipis the knocke of the weyhous and ringis the bell is now laithie ordaynit to ring the bell ilk Sabbath day thryse befoire noone and thryse efter noone to the preiching forder nor he did of before for the quhilk he had onlie tuentie merks of fie Thairfore and for help of his chairges augments his fie ten merks. . . .

<sup>1</sup> See *P.C.R.*, vi. pp. 65-6, 23rd July 1635, granting licence to Major Thomas Moffett to transport 60 men as recruits to his company in "Sprusse."



25th September 1635.

[A Particular Convention of Burghs is summoned for 20th October.]

30th September 1635.

Forsameikle as the reliet of umquhill Andro Hairt being extentit in the soume of thriescore sevinetein pundis and the guid toun being resting to hir in the lyik soume for printing of the bookes at his Ma. receptioun, which soume Robert Fleyning, ane of the baillies hes maid compt as payit the counsall dischairges hir said extent in payment of the said debt and ordanis David Makcall, thesaurer to pay the same bak againe to the said Robert Fleyning.

Dischairge  
extent R. of  
umquhill  
Andro Hairt.

The counsall being supplicat be Sara and Issobell Sandis, lauffull dochters to umquhill Maister Patrik Sandis, sumetyne principall of King James his colledge, lauffullie procreat betwixt him and Marioun Aikinheid his spous lauffull dochter to umquhill Thomas Aikinheid, merehand burgess and gildbrother . . . shewing thair preiudice through thair said umquhill fathers neglect in not seiking the benefeit of ane burgess and gildbrother be richt of thair mother . . . ordanis the dein of gild and his successoures to admitt and ressaive such as sall joyne in lauffull mariage with the said Sara and Issobel burgess and gildbrother of this burgh notwithstanding of thair said father's neglect. . . .<sup>1</sup>

Admissio to be  
burgess and gild  
brether of such  
as sall joyne  
in mariage with  
Sara and Issobell  
Sandis.

7th October 1635.

[George Baillie, water bailie of Leith; George Baillie and John Fleyning, baron bailies.

Council for 1635-36: *Provost*, David Aikinheid; *Bailies*, George Suittie, Gilbert Williamsoun, John Rynd, Stephen Boyd; *Dean of Gild*, John Sinclare; *Treasurer*, Charles Hammiltoun; *Council*, Sir Alexander Clerk, Alexander Speir, Archibald Tod, Edward Edgar, Alexander Danielstoun, William Dick, David Makcall, Thomas Inglis, Patrick Baxter, James Rucheid, David Douglas, surgeon, Patrick Trotter, tailor; *Deacons*, William Carnegie, skinner, Thomas Weir, pewterer, James Leslie, tailor, John Pringell, surgeon, Adam Lamb, goldsmith, James Broun, shoemaker; *Extraordinary Deacons*, James Pargilleis, furrier, Robert Wilsoun, wright, Alexander Nisbett, mason, Robert Hunter, baker, Robert Skirling, flesher, John Wilkie, weaver, John Wallis, waulker, John Bicked, bonnetmaker.

Commissioners to the Convention of Burghs, John Sinclare and William Carnegie.]

9th October 1635.

Forsameikle as the counsall for performing certan of thair effaires requyring secrecie did appoint the Proveist Archibald Tod Johnne Sinclare and Mr Alexander Guthrie for taking course theranent conforme to ane act, daitted

Electio  
certan of the  
counsall  
Ratificatioun  
Act 4 Apryle  
last.

<sup>1</sup>The Provost, David Aikinheid, second son of Thomas Aikinheid, was their uncle. Mr Patrick Sands was, for a time, principal of the College, resigning in 1622. See *Crawford*, pp. 90-2 and 94. It is noted that he gave "small satisfaction in the government of the colledge."

the fourt of Apryle last, which act and commissioun therin contenit the counsall ratifies and approves and adjoynes unto theme George Suittie, baillie, and ordanis theme to prosecut the said bissiness then begun and thairefter to report to the counsall.

*17th October 1635.*

Agriement to  
the undertaking  
of the building  
of tuo churches  
and repairing of  
the edifice of  
Sanct Geilles.

[The council, deacons and certain neighbours] resenting the many favoures bestowit upone theme be thair gracious soverayne the Kings Ma. and understanding the continuance of his gracious favour to be farder extendit towards theme and of his earnest desyre which hes formerlie bein impaired to theme for haiveing of tuo churches buildit of new within this citie and the edifice of the kirk of Sanct Geilles to be repaired the beautye wherof is no littill defaced thruch the building of the choppes upon the outwallis therof and utherwayis for the which causes . . . and to schew thair reddines to contribute what is in thair power to secund all his Ma. desyres The saids Proveist, baillies and counsall is to undertak the building of the saids tuo churches and repairing of the edifice of the said church of Sanct Geilles, for doing quhair of manye of the nichtboures hes maid willing offer of certan soumes of money yit thruch the obstinacie of some unwilling persounes the saids soumes ar not fund sufficient for performing of what is to be undertaikin be the counsall and they being willing that the commoun good and commoun rentis of the said citie sould nowayis be burdenit therwith Thairfore they have agreit and consentit that the saids Proveist baillies and counsall sall extent everie burgess and inhabitant within this burgh according to thair meinis and habilitie And thairfore . . . hes ordaynit the haill nichtboures to be extended for building of the saids churches and repairing of the said edifice of Sanct Geilles and for this effect as occasioun offerris to be convenient before theme and becaus manye of theme hes alreadye offerit charitable to the saids workes Thairfore the counsall does declare that such as hes alreadye offerit or heirefter at the sight of the magistrattis sall competentlie offer to the same that thair said offer salbe accepted and taiken in plaice of any uther extent to be craived for performing of the saids workes. . . .<sup>1</sup>

*21st October 1635.*

Bill of health  
Glas skipper.

Grantis bill of health to John Glas, maister of the schip callit the "Jonas of Leith," bound to Cadiz, in Spayne, laidin with coales, walx, reid herrings and uther commodities. . . .

*23rd October 1635.*

[Committee of Burghs for revising their extent roll.]

<sup>1</sup>This act received ratification by Charles I., together with remission of past contravention of the penal statutes regarding the export of money. See Appendix xvi.

28th October 1635.

Grantis bill of healt to George Heygie, maister of the goode schip callit the "Katherine of Leith," bound to Cadize, in Spayne, laiden with walx cloath and uther merchandice.

Bill of health  
Heygie.

[David Mitchelsoun, merchant, elected treasurer to the Parliament House.

John Peirsoun and Richard Maxwell, masters of the Trinity Hospital.]

6th November 1635.

[The treasurer is to borrow 10,000 merks at eight per cent. to help to complete the Parliament House.]

13th November 1635.

Understanding the ald project of restraint of scottes salt within the Kingdome of England to be of new wakened and considdering how much the tred in this whole kingdome may therby be preiudged [a Particular Convention of Burghs is summoned for 26th November.]<sup>1</sup>

... Restraint  
of Scottes salt.

[John Sinclare and William Carnegie are elected commissioners to the above.

The neighbours are to be extented for 40,000 merks, according to the act of council of 27th January 1634.]

18th November 1635.

Wheras the counsall haiveing apointed the Proveist George Suittie dein of gild Archibald Tod and Maister Alexander Guthrie to treate and confer with these repairing the edificie of Sanct Geilles remooving of the choppes and sang scoole adjacent to the wallis thair of with the dimolisching of the partitoun wallis of the illes and inclosing ane pairt of the said churche for ane queir with ane pardoun of the penall statuttis maid anent the money and uther thinges concerning the guid toum and the saids persounes compeirand reported they had agriet with the saids commissioners anent the premissis and declaired thair haill proceedings whairwith the counsall being advysed they ratifie and approve the same and ordanis theme to continew in the saids purposes till all be compleitt and to report to the counsall.

Report and  
ratificatioun of  
the  
commissioners  
...

[The late Thomas Bannatyne left 1,000 merks to the hospital.]

2nd December 1635.

[The dean of gild produced the roll of the Burghs' share of the King's tax and another of their share in the Lords of Session's tax.]

<sup>1</sup> See 22nd June 1631 (p. 94 *supra*). The matter was before the Privy Council on 26th November, with a proposal of the King that two commissioners of the saltmasters should be sent to Court to discuss an increase of the tax on salt (*P.C.R.*, vi. 140). Only one commissioner was sent, and after hearing him, the King wrote to the Privy Council his pleasure in the matter (*ibid.*, 250). Proceedings, however, were dilatory, and seven months after the King's message, nothing had been done. It is worthy of note that the Council seem to have had inside information, more or less correct, upon the strength of which the convention was called.

4th December 1635.

Letters to  
Court.

Haiveing certan important effaires to performe at Court, thairfore ordanis the Proveist and baillies to mak choyce of some honest man for caryeing of thair letters with all diligence.

Legacie  
Douglas  
Mathematicall  
bukies.

Forsameikle as umquhill James Douglas sumetyme secretarie deputt haiveing left in legacie to King James his colledge all his mathematicall bukies conforme to the inventar to be givin in be Harrie Young his servand and the said Harie Young haiveing produced ane inventure of the saids bukies with the bukies theme selffis and certan instruments mathematicall which wer delyverit in to the librarie in the said colledge, [the council acknowledge receipt of the same and order the dean of gild to admit Harry Young burgess and gildbrother.]

[As the commissioners of Burghs lately assembled had appointed a convention on 17th January next anent the project of salt in England<sup>1</sup> and the recent commission on fishings,<sup>2</sup> missives are to be sent out summoning them.

John Sinclare and Williame Carnegie are appointed commissioners.]

16th December 1635.

. . . Borrowis  
to produce thair  
objectiounes  
anent the licht  
of the Isle of  
May.

Forsameikle as the lords of counsall haiveing intimat to the deyne of gild his Ma. laite letter anent the satling of the mater of the licht upone the Ile of May craived to be erected be the Laird of Barnis as also had appointed the borrowis to produce thair objectiounes in the said mater betwixt and the tuentie day of Januar nixt with certificatioun they could not be hard therafter, [letters are sent to certain burghs inviting them to send their commissioners sufficiently instructed.]<sup>3</sup>

18th December 1635.

[Dr. Elliot, minister at Glasgow is to be heard for the vacancy in the N.E. parish.]

23rd December 1635.

[Dr. Elliot is elected second minister of the N.E. parish.]

30th December 1635.

[The late Thomas Bannatyne left 4,000 merks towards the building of a new church in the burgh. The money is to be used for the church in the S.E. parish.]

<sup>1</sup> See 13th November (p. 169).

*P.C.R.*, v. 96. The Association for fishing, never favoured in Scotland, was badly hindered by the islanders according to the complaint to the Privy Council in August.

<sup>2</sup> See 12th April 1633.

<sup>3</sup> See 4th February 1631 and note. The Privy Council appointed a commission to take evidence from merchants and skippers at different ports. A majority of skippers seem to have been in favour of the light. Many of them and most merchants were anxious that the payment for its maintenance should be as cheap as possible and under the control of the convention of Burghs (*P.C.R.*, vi. pp. 59, 114, 176, 572-9).



*6th January 1636.*

[The late Thomas Mure left 100 merks towards the help of two bursars in the college.]

Dr. Elliot is to receive 500 merks for the expenses of his removing from Glasgow.]

*8th January 1636.*

[Agreement is made with the Earl of Wemyss and his son anent the valuation of the teinds of Easter and Wester Wemyss. The Earl and his son having undertaken to pay the stipend of the minister at the Kirk of Wemyss, being 800 merks, to furnish the communion elements, to pay the reader and to keep the choir in repair, the council, in return for the sum of 800 merks a year, surrender the said teinds in favour of the Earl and his successors.<sup>1</sup>

Agreement with Walter Murray of Levingstoun anent the teinds of the barony of Levingstoun.]<sup>2</sup>

*22nd January 1636.*

Wheras of laitt thair is such ane abuse croppin in throw excessive giving at penny brydillis that not onlie it is turned to appeir ryotting and abuses of the benefeit of God but it is become also ane motive to draw indigent persounes togither not haiveing goodes or calling quherby to leive who schortlie thairefter turnes beggers or becummis with thair wyffes or childrein ane burdein to this Citie For remeid wherof it is statut and ordanyit that na persoun sall give for thair mailles at the said penny brydell above the soume of tuentie schillings scottes money . . . and that the nomber convenit at the saids penny brydells sall not exceid the number of tuentie four persounes . . . and ordanis publicatioun to be maid heirop upone Mononday nixt be sound of drum throw all the publict streittes and vinnellis of this burgh that naue pretend ignorance.

Statut  
penny  
brydellis.

*29th January 1636.*

Comperit Stephan Boyd baillie and grantit him to have ressavit frome Maister Johnne Raith the soume of fyve hundreth merkis usuall money of this realme to be employed towards the fabrick of the colledge and building of ane dyick upone the land coft frome Maister Johnne Charteres, which soume they ordayne the said Stevin to imploy upone proffieitt and to be comptabill thairfore till the counsall tak farder course.<sup>3</sup>

Charge  
Boyd  
baillie.

[The late Gilbert Johnnestoun left 40 li. to the hospital.]

<sup>1</sup> See pp. 56, 57, and 164, for valuation of teinds and former agreements.

<sup>2</sup> See p. 55 for valuation of teinds.

<sup>3</sup> See p. 140 *supra*.

3rd February 1636.

Apointment . . .  
the houses new  
created within  
Sanct Paul's  
worke . . . to  
serve for ane  
Correction Hous  
in all tyme  
cuning.

[After rehearsing the establishment of a Correction House<sup>1</sup> in 1632, the council] finding by experience the guid redounding to this citie be the said worke begun of before, and perfytlie understanding that if the said worke wer fullie perfytted and the said hous instituted and guid lawis and ordoures sett down for governing thair of in tyme cuning, that the samin vald prove ane gritt meanes for advancing of all vertew and suppressing of all vyce amongst the commouns Thairfore thai be thir presentis hes appointed and appointes the houses now erected within Sanct Paul's worke at the foote of Leith Wynd as the samin ar inclosed be themeselffis and possess be Williame Stansfeild now maister of the said hous to serve in all tyme cuning for ane correctioun hous; And ordanis all vagabonds strong and sturdye beggars ydill and maisterles persouns strong in bodie and abill to worke above the aige of aucht yeires and under the aige of thriescore, servands dissobedient to maisters and childrein dissobedient to parents, leud livers commoun scalds and incorrigibill harlottes not amending be the ordiner discipline of the church To be taikin be the magistrattis of this burgh or constabills, or such as the saids magistrattis sall appoint whairsoevir they can be apprehendit . . . and to be putt in the said hous to be corrected in maner to be appointed be the saids magistrattis and to remayne thair so long as they salbe ordaynit or continewit thairin according to thair merite and to be compellit to worke such kynd of laubour as salbe appointed to theme be the Maister of the said hous and ressave such intertaynement as he sall think thair worke to deserve; And for the governing of the said hous ordanis ane qualified maister to be plaiced therein expert in clothie and all thinges belonging thairto and ane competent fiail apointed to him for the which he salbe obleist to interteynie all such as salbe imprissonit therein to undergoe the inunctionns heirefter sett down and sall be abill to sett the whole persounes to worke and sufficient to furneis all materialles of worke and skilfull to instruct the saids persounes, who also salbe obleist to keip theme in prissoun at worke so long as he salbe commandit. [A council is to be elected yearly to supervise the master and the house, with power to dismiss any prisoner and to make rules for the government of the house. The master is to receive £100 sterling as fee and to obey the following injunctions]:

Imprimis he salbe obleist to ressave into the said hous of correctioun all such persounes as salbe sent unto him be the magistrattis and sall use such discipline and correctioun upone theme as is used in any correctioun hous elswhair or as the magistrattis sall apoint theme to ressave provyding the number of the prisoners exceid not the number of fyftie at one tyme and sall furneis ane sufficient servand of his owne for correcting of the saids prisoners.

Item he sall provyid upone his awin chairges servandis and find meanes sufficient to set on worke the saids prisoners as he in discretioun sall think they deserve at the sight of the magistrattis.

<sup>1</sup> See Appendix xi., upon which the Council were taking action.

Item he sall upone his awin chairges repaire and amend all the toolles instruments and implements for working, and bedding and yrnis for prisoners so often as neid sall require and if thair be necessitie of renewing of theme he sall lyikwayis doe the same as also sall upone his awin chairges furneis taessillis bairdis and uther materialles.

Item he sall ressaive into the said hous over and above the number foresaid, if the said hous can contain theme all such ather young or ald as the magistrattis sall send unto him to ressaive imprissonment for four or fyve dayes and corporall punischement in such sort as the magistrat sall expres and apoint.

Item he sall keip ane register buik and therin sall insert alls weill the coming in or release of anie prisoner; as also the proceeding of the magistrattis or uthers whome the counsall sall appoint at thair severall meittings thair ather for punischement or inlairgement of prisoneris or utherwayes whairby the succeding magistratts may be informed of the estaitt of the hous and prisoners and that the said maister may be dischairged of anie prisoner that salbe committit or delyverit thence.

Item he sall tak caire that the prisoners goe not abroad bot that he sall keip theme clois at thair worke and sall appoint ane of his servandis to reade the prayers on the Sabbath day.

Item giff any generall seiknes or infectiouns salhappin to be among the prisoners of the said hous of correctioun that then the said maister salbe obleist upone his awin chairges to releive and mantein theme so longe as the seik exceed not the number of sex at one tyme for the spaice of tuo or thrie dayes and if thair salbe any above that number at one tyme that then the counsall sall tak farder ordour for releiff or dimissioun of suchlyk persounes as they sall think fitt and that he sall deliver the haille toolles and instruments both for the said hous and yrons with the cloathes and bedding and all uthers furneissed to him conforme to ane inventar to be maid and subscrivit be him theranent.

Item the said maister sall ressaive no spune yairne to weive or worke in cloathe to any persounes within the toun.

Item the said maister sall furneis joupes sarkis and strae to the prisoners upone his awin chairges with uther necessars where they have necessarlie adoe therwith.

Item the said maister salbe obleist to tak ane prenteis in the tuo yeires without ane prenteis fie quhairby the worke may be provydit with skilfull men in tyme to supplie the defect of the maister.

[William Stansfeld is re-elected master of the Correction House.]

*5th February 1636.*

[Hew Scrimgeour, servant to the Lord Chancellor, is admitted burgess and gildbrother, gratis. John Littiljohnne, servant as above, is admitted burgess gratis.]

The council promise the next vacancy at the Church of Wemyss to Mr Patrick Mairnis, at the request of the Earl of Wemyss.]

*10th February 1636.*

. . . the dein of  
St. Jeilles to goe  
to Durhame.

Appointes George Suittie baillie and Maister Alexander Guthrie to speik with Maister James Hanna deyne of Sanct Jeilles and to deale with him for goeing to Durehame and setting downe ane plott of the queir to be repaired within Sanct Jeilles and to doe all thingis which may facilitate that worke to the toun.

[The commissioners of the Burghs having elected Mr Alexander Guthrie to go to the King on their business and having ordered Edinburgh to advance his expenses, the treasurer is ordered to do so and to seek repayment from the burghs.]

*15th February 1636.*

[In the absence of Mr Alex. Guthrie, Mr William Hay, commissary clerk, is to act as depute-clerk.]

Designatoun  
bounds  
Kirk Seist  
quarter.

The counsall finding the parochin of the southeist quarter of this burgh to be destitut of ane ordiner churche for divine service Thairfor they have appointed and designit . . . the boundis lyand betwixt umquhill Alex. Clerk his ludging and the tenement pertening to the aires of umquhill Richard Dobyne to be the plaice for the said churche according to the breid thairof and maner heirefter to be appointed.<sup>1</sup>

[Patrick Geld Mackfarlane, servant of Lord Lorne, is to be received burgess. James Bannatyne, prentice to the late Thomas Bannatyne, is to be received burgess.]

*9th March 1636.*

[Andrew Maiden, merchant, is to be received burgess gratis.]

*16th March 1636.*

[John Mortymer, servant to the Bishop of Glasgow, is to be received burgess gratis at the request of his master and of Lord Innerpeffer.]

*26th March 1636.*

[The accounts for the Parliament House show a charge of 15,649 li. 6 s. 4 d., and a discharge of 17,385 li. 14 s. 7 d.]

<sup>1</sup> The activity in starting the building of the new church was probably due to the King's letters of gift, dated 19th January 1636. See 17th October 1635 *supra* and note.



1st April 1636.

Agries and consentis that that pairt of the landis conqueist be the guid toun fra the laird of Innerleith lyand on the eist syid of the wall quhilk bounds in Heriottes hospitall be inclosed with ane toun wall round about fra the toun wall alreadie begun clois to the wester cheik of the societie port and that to be ane augmentatioun to the buriall yaird. . . .

[It is agreed to buy the land for the church of the S.E. quarter at the price awarded by the Lords of Session to the heritors, the heirs of William Melrose and his widow, John Bannatyne, writer, heritor of a house and booth, being 10,000 merks to be divided between them, and to Dr. Scott 1,000 li. for the bakehouse and bounds belonging to it.]

6th April 1636.

[The dean of gild and Williame Carnegie are elected commissioners to the General Convention to be held at Glasgow in July.]

22nd April 1636.

Ordains Alexander Speir in plaice of Johnne Rynd present baillie, to pas with Eduard Edgar to King James his colledge at the ordiner houres for ressaiving of the bookes contenit in thair librarie thair conforme to the Inventar thairof frome Mr Johnne Adamesoun primar and delyver the same to Maister Kenneth Logye chosen to be keiper thairof.

Buikes librarie  
to be delyveit  
to the keiper . . .

Forsameikle as thair is extentors chosen for valuatoun of the hous mailles of this burgh for the soume of twelf thousand merkis for payment of the ministers stipends of this burgh and considdering that in the warrand grantit to the Proveist baillies and counsall . . . for extenting of the inhabitants theraient the lordis of his Ma. privie counsall and sessioun ar ordained to be exemed thairof Thairfore the saids Proveist baillies and counsall givis warrand to thair saids extentors to exeme furth of the said valuatoun and extenting of the saids lordis of counsall and lordis of sessioun whairunto thir presentis salbe unto theme ane sufficient warrand.<sup>1</sup>

Lordis of  
counsall and  
sessioun  
exemit of the  
mailles of thair  
houssis anent  
the ministers  
stipends.

[Mr John Schairpe, professor of divinity, is granted a gratuity of 300 merks.]

29th April 1636.

Compeired Johnne Luikup Alexr. Downye Archibald Maistertoun and David Robertsoun skippers in Leith and desyred the counsall to apoint some of thair nomber to meitt and confer with theme in name of the rest of

<sup>1</sup> See *P.C.R.*, vi. 478, 11th July 1637. The other members of the College of Justice, Advocates, Clerks and Writers were exempted by the Privy Council, following upon their voluntary offer to contribute a "proportionable tax" towards the stipends.

the skippers of Leith anent the Trinitie hous and satling of the money is to be payed to thair poore <sup>1</sup> and all questiounes betwixt the merchands and skippers. Conforme to the quhilk the counsall nominattis [a bailie, the dean of gild, treasurer, three of the council and the water bailie for that purpose.]

Stipend primar  
in King James  
Colledge.

The counsall for causis and consideratiounes mooving theme concerning Maister Johnne Adamesoun, primar of King James his colledge and for his guid service doone and to be doone be him in his said office . . . ordanes his fie to be yeirlie tua thousand merkis in all tyme cuming . . . and this to be in contentatioun of all hous mailles payit to the said Mr Johnne Adamesoun of before.

### 30th April 1636.

Parliament  
House.

[The council, deacons and fifty-five neighbours named, with others not named, finding that 10,000 merks, borrowed for the building of the Parliament House, has been spent, over and above another 10,000 li. which the treasurer has advanced] efter long ressoning and disputatioun theranent and all voyces and opiniouns craived and givin ane be ane They all in ane voyce . . . thinkis most meitt and expedient and agries and consents all in ane voice that moneyes salbe presentlie borrowit upone annualrent with all possibill dilligeance for advancing of the said worke and that it salbe leasume to the Proveist baillies and counsall at thair optioun and pleasour ather to exact of the inhabitants of this burgh ane voluntar offer or extent theme for repayment of the said soumes already borrowit and to be borrowit . . . ay and quhill the said worke be compleatlie finisched and endit. . . .

[Three men are fined for landing at Newhaven from a Leith ship come frome Campvere, a part suspected of plague.]<sup>2</sup>

Angus  
skipper  
unlawit.

Unlawis Patrik Angus skipper in Bruntyland in ane unlaw of twentie pundis for coming a schoir without licence of the watter baillie being come from ane suspect pairt and putting of ane sick boy furth of his schip. . . .

### 4th May 1636.

[The weaponshowing is to be held on 8th June.

Charles Hamilton treasurer, is to borrow 5,000 merks for the work of the Parliament House.

The stentmasters for the valuation of house rents produced their extent books. These show that, excluding the Privy Council, Court of Session and lands bought for building the churches, each 20 li. of reut pays 17 s. 4 d., each 10 li. pays 8 s., each 20 s. pays 11 d. The council order that a roll be made up of what each person, occupier of a house should pay.]

<sup>1</sup> This may refer to the case anent the hospital of Leith, brought by the masters and mariners and reported in *P.C.R.*, vi. 79-81, 351, 652, 662. That the case reported concerned the Trinity House, not King James' Hospital, appears from the last page given, where the hospital is called "The Maisteris Skipperis Hospitall."

<sup>2</sup> Plague had been raging in the Low Countries and so early as October 1635 proclamations by the Privy Council had forbidden landing without licence (*P.C.R.*, vi. 124, 125).

11th May 1636.

Forsameikle as Johnne Rynd baillie and David Makcall haiveing declaired this day in presens of the counsall that they have some victuall in some schippis at Leith spilling and in poynt of tinsell in respect they have no loftis nor housses in Leith on the south syid of the watter emptie to be taiken for that use be reassoun of the present throng and gritt nember of victuall quhilk is now in Leith And thairfore desyres licence to carye and transport thair victuall to such housses in the north syid of the brig as can be fund for that effect to remayne thair unsauld and no mercat to be maid therof quhill they sall find emptie rounes and housses on this syid of the watter to transport the samin bak againe. [The council grant permission under the conditions given.]

Licence . . .  
for transporting  
victual to the  
north syid of the  
brig of Leith.

25th May 1636.

Forsameikle as many fearfull occasiouns of fyre hes fallin out within this burgh be bailing of bread in heich houses Thairfore . . . ordanis proclamatioun to pas through this burgh dischairging all the inhabitants of this burgh fra bailing of anie breid in any heich or loftit housses bot in laich selleris or volts upone the grund under the payne of 20 li. . . and that if anie nichtbour know that any persoun transgres this present proclamatioun and does not reveill the same to the magistrattis tymouslie he sall incurre the lyik penaltie.

Dischairge  
to baik anie  
bread in heich  
houis or loftis.

Forsameikle as Maister Nicoll Udnard . . . haiveing hung up durris upone the eister clois pertening to him leiding to the societie of this burgh and the Proveist baillies and counsall finding the same to stay and stopt the publict passage of the said clois . . . thairfore ordains him to remove and tak away the saids durris Quhिल्s durris for obedience of thair ordinance the said Maister Nicoll removed and tuik away and humblie supplicat the saids Proveist baillies and counsall to give and graunt him licence and tollerance to hing up the saids durris againe upone the conditiounes and provisiounes underwrittin . . . to keip the passages of the said eister and wester clois of his land leidand to the said societie frie to all oure Soverayne lords liedges to pas and repas therby and to mak the samin durris oppen and patent tymouslie in the morning and laitt at nicht and farder . . . to remove and tak away and dimolische the samin durris now to be hung be him . . . and that when and at what tyme he salbe requyred . . . and that under the payne of ane thousand merkis money. . .

Licence  
Mr Nicoll  
Uduard to hing  
up durris upon  
his eister clois.

For preventing of the imminent dainger of pestilence now raigeing in oure nichtboure cuntreyis and drawing neir unto the borders of this realme<sup>1</sup> quhilk is gritlie to be feared unles the Lord in mercie prevent the same Thairfore . . . thinkis meitt and expedient that the Kowgait port and passages throw the Colledge Kirk of this burgh be keiped clois and no passages sufferit

Ordinance  
portis to be  
keiped to  
prevein the  
dainger of the  
pest.

<sup>1</sup> The Privy Council, later in the month, took steps to prevent infection from London spreading (*P.C.R.*, vi. pp. 271, 272).

to be throw the samin passages during the counsallis will and that all the portis of this burgh be keiped be honnest men ilk ane aucht dayes about . . . sa lang as the counsall sall think neidfull. . . .

1st June 1636.

[James, Bishop of Dunblane, having offered to lend 16,000 merks to the Council at 6 per cent., a bond is to be given to him for the money, which the treasurer is to use to pay their debts.]

10th June 1636.

Parliament  
hous.

Ordanis the parliament hous to goe on as the samyn wes first ordaynit and that with diligence.

15th June 1638.

[Mr Robert Mearnis,<sup>1</sup> servant to the Earl of Wemyss, is presented to the vacant place of minister at the Kirk of Wemyss.]

17th June 1638.

[Visitors of the Town's marches are appointed.]

29th June 1636.

Sett goldsmith  
choppes.

Ordanis the thesaurer to sett to Adam Lamb, James Danielstoun, James Makcalaw, Thomas Cleghorne, and Johnne Fraser goldsmithes these fyve littill choppes laithie build at the west gavill of the new Tolbuith for the soume of fourtie merkis yeirlie for ilk chope. . . .

Licence tomb  
Foules.

Grantis licence to George Foules of Ravilstoun to build ane tomb to the corps of unquhill George Foules of Ravilstoun his father Maister Coynyier to his Ma.

6th July 1636.

[Master Gilbert Ros, minister at Calmonell is to be burgess and gildbrother by right of his wife Elizabeth, daughter of the late Francis Naiper.]<sup>2</sup>

13th July 1636.

[The weaponshowing is postponed till further notice.]

Anent the  
bargan of  
Brochtoun.

Apointes to sett down the minutes of the bargan to be contracted with the Kings Ma. and the Erle of Roxburgh for the Tounes pairt of the said bargane the Proveist [and six others] and to consult with thair lawers theranent.

<sup>1</sup> The Christian name is given as Patriek in the entry of 5th February. He succeeded Mr John Tulloch, deceased.

<sup>2</sup> Francis Napier was made burgess and gildbrother in 1583 as son to Sir Archibald Napier of Edinbellie, Kt., and "that for guid serviee done be him to the guid town and for the sowm of ten pund. . . ."



15th July 1636.

[The late James Hog, merchant, left 100 merks to the poor of the hospital.]

20th July 1636.

[Mr Alexander Guthrie produced a letter from the King as follows]: Trustie and weil belovit we greitt yow weil Whereas we by oure experience doe find that the frequent chainge of persounes in publict effaires does breid inconstancie in governament and whair all persounes indistinctlie run to trade without ordour; that some necessarlie must perisch therby, and being zealous of your weil, wherunto we have had a great respect we ar pleased to recommend unto yow a constant counsall for governing that oure Citie and a distinctioun in Traid and doe will yow to order the same among your selfis as may most agrie with your estaitt, off the succes quherof we will yow to adverteis us that haiving approvin the same we may interpone oure authoritie thairto, by doing quherof yow sall not onlie doo unto us acceptabill service bot sall also contribute much to the guid of each particular persoun committit to your charge and for which these presentis salbe youre warrand we bid yow fairweill frome oure Court at Whythall the 17 of Maij 1636, anent the whiche mater the counsall being advysed and finding the same to deserve gritt deliberatioun and advyse continewis the same to this day aucht dayes.

His Ma. letter  
anent ane  
constant  
counsall and  
distinctioun  
of trade.

22nd July 1636.

[Sir Jerome Lindesay and Mr William Wischeart, parson of Restalrig, are to be burgesses and gildbrethren gratis.]

Haiveing writtin to the burghs of Dundye, Lynlithgow, Culros, Bruntlyland, Kinghorne, Kirkcaldye and Dysart for sending thair commissioneris sufficientlie instructed in the mater of the lights upone the yle of May for convening the 22 of this instant with continuatioun of dayis Thairfore they nominat Sir Johne Sinclair and Williame Carnegie commissioners for keiping of the said conventioun. . . .<sup>1</sup>

Particular  
Conventioun.

27th July 1636.

Consentis that Maister Richard Simpsoun minister at Sproustoun in whais parochin the landis of Lurdoulaw and Lempitlaw with the pertinents lyes whair of the teinds personage and vicarage does belong to the Good Toun, for him and his successoures serving the cure of the said Kirk sall have for thair pairt of his stipend the soume of ane hundreth pundis yeirlye with the vicarage And ordains Maister James Aikinheid advocat to compeir before the lordis commissioneris and in thair names to consent heirto with power to him to

Augmentatioun  
stipend  
minister at  
Sproystoun.

<sup>1</sup> See 16th December 1635 (p. 170 *supra*).

procure the saids landis to be declaired ane pairt of the said parochin of Sproystoun in all tyme cuming.<sup>1</sup>

Augmentatioun  
stipend  
minister at  
Corstorphing.

Consentis that Maister David Bassillie minister at Corstorphing unto which parochin the Kirk of Gogar belonging to the Guid Toun<sup>2</sup> is annexit for him and for his successoures sall have in yeirly stipend to thair kirk by and attour the soumes payit to him the soume of ane hundreth merkis with fyve merkis for furneissing of the elements to the communioun which maks in haill for the Tounes pairt of the said ministers stipend the soume of tua hundreth and fyftie merks with ten merkis for furneissing the saids elements [This arrangement to last during the present tacks and afterwards to be altered to a chalder of victual, part bear, part meal.]

Consents that the minister serving the cure at the kirk of Kirkurd sall have in constant stipend in all tyme cuming the soume of fyve hundreth pundis scottes money yeirlye. . . .

29th July 1636.

Ratificatioun  
Act Kirk  
counsall . . .  
takkis.

Approves the act of the kirk counsall of the nynt of this instant whairby they understanding that the most pairt of the rentis belonging to the church of this burgh ar not satled thairfore had thocht meitt and expedient that thair sould no takkis for enteres sylver nor gersum salbe set in any tyme heirefter bot the toun sall uplift the same according as they ar satled, and the ministers outwith burgh being payed that the remanent be brocht in for help to sustein the ministers of this burgh. . . .

[Agreement for valuation of the lands of Kirkurd and Lochurd.]

3rd August 1636.

[A committee is appointed to discuss the King's letter anent the constant council and settling of companies in trade.<sup>3</sup>

It was thought fit that, in the bargain of Broughton, the following should belong to the Town: the Canongate, north side of the bridge of Leith, lands on south side sometime belonging to the Abbey of Holyrood, the part of St. Leonard's lands comprising the village of Pleasance.<sup>4</sup>

James Roncheid, appointed collector of the new impost of the merk per tun of imported goods.<sup>5</sup>

<sup>1</sup> See Trinity Hospital Charters. The Charter of James Kennedy, Archbishop of St. Andrews (1st April 1462) confirming the charter of foundation by Mary of Guelders, widow of James II., gives, among the endowments of the Trinity College the church of Lempitlaw with all the fruits thereto belonging. The charter of James VI. (23rd June 1585) granting to the Provost and Council the Provostry of Trinity College also names the parish church of Lempitlaw. The parish of Lempitlaw originally belonged to the Hospital of Soutra, annexed to the Trinity College.

<sup>2</sup> Gogar belonged to the Trinity College (*Extracts, 1589-1603*, p. 201).

<sup>3</sup> See 20th July *supra*.

<sup>4</sup> See 13th July *supra* and 18th August *infra* and note.

<sup>5</sup> *Historical Charters*, Nos. 89, 90. See Appendix xvii.

10th August 1636.

[John Inglis appointed collector of the new impost of the merk per pack on imported goods.]<sup>1</sup>

12th August 1636.

Forsameikle as the counsall understanding that thair was ane commissioun come home for heichting of the book of Raittis and finding the samyn may tend to the preiudice of the whole estaitt of the merchands thairfore apointes ane conventioun of borrowes to be and begin at this burgh the fyft day of September nixt with continuatioun of dayis. [Eleven burghs are summoned.]

Particular  
Conventioun . . .  
book of Raittes.

18th August 1636.

[Sir John Sincler and William Carnegie commissioners to the above.

Agreement with the Earl of Roxburgh anent the barony of Broughton.]<sup>2</sup>

Ordanis the thesaurer to dimolisch the gritt churche . . . and . . . to keip the compt thair of be itself and to seik payment bak againe of the same of the reddiest of the contributioun grantit for building of the churches.

9th September 1636.

[His Majesty and the estates of Parliament having granted the sum of 12,000 merks from the house rents of the city to relieve the Common Good of the burden of the payment of the ministers] and siclyk the counsall haiveing dispoit unto theme by his Ma. predicessouris certan kirk rentis whair of the superplussage which is resting yeirlye of what is not bestowit upone the ministrie to landward payed be the Toun the counsall hes thoct sall be bestowed lyikwayes for help to pay the saids ministers stipends and that the Touns thesaurer salbe in all tyme cuming frie of the burdeyne of the said ministrie. . . .

28th September 1636.

[The accounts of the late bailies for the extent during the year of their office show a balance due to the Town of 1,663 li. 7 s. 4 d.]

30th September 1636.

[The accounts of the late treasurer, David Makeall, show a balance due to him of 1,755 li. 9 s. 11 d. The present treasurer, Charles Hamilton, is to repay the same.

The council agree to buy from Gilbert Williamsoun, bailie, his tenement in the Castlehill, as a part of the site for the new church of the N.W. parish for 2,000 merks.

Appointment of John Aslowan as ballastmaster in Leith, with the regulations for his office.]

<sup>1</sup> See p. 180 *supra*.

<sup>2</sup> *Historical Charters*, No. 91. Minute of Contract between Charles I., the Earl of Roxburgh, the Magistrates and ministers of Edinburgh as representing Heriot's Hospital and the Magistrates and Council as representing the community, Appendix xviii.

4th October 1636.

[The accounts of William Dick, late dean of gild, show a balance due to him of 100 li. 16 s. 8 d. Sir John Sinclair, dean of gild, is to repay him.

Edward Ferquhare, water bailie of Leith ; he and John Trotter, baron bailies.

Council for 1636-37 : *Provost*, David Aikinheid ; *Bailies*, James Cochrane, Andrew Ainslie, John Smith, Charles Hamiltoun ; *Dean of Gild*, Sir John Sincler, *Treasurer*, James Roucheid ; *Council*, Sir Alexander Clerk, George Suittie, Gilbert Williamsoun, John Rynd, Stephen Boyd, William Dick, Archibald Tod, Walter Cant, Patrik Wood, William Trotter, David Pringill, surgeon, Robert Lymphetlaw, skinner ; *Deacons of Crafts*, Thomas Weir, pewterer, James Guthrie, skinner, John Pringill, surgeon, Adam Lamb, goldsmith, Thomas Patersoun, tailor, James Broun, cordiner ; *Extraordinary Deacons*, Thomas Weir, furrier, John Frank, wright, John Mylne, mason, David Nisbett, baker, Robert Steirling, flesher, John Wilkie, weaver, John Wawes, waulker, John Bicked, bonnetmaker.]

7th October 1636.

[Sir Thomas Hendersoun of Chesters, Kt., Senator of the College of Justice, is permitted to build a tomb in Grayfriars, between those of the late John Byires and the late George Foulis.<sup>1</sup>

Patrick Duncansoun, servant of Sir Thomas Thomesoun of Duddingstoun, is to be made burgess gratis.]

14th October 1636.

[Sir John Sincler and John Priugill commissioners to the Particular Convention of Burghs in November.]

19th October 1636.

[The riding of the marches is postponed till May or June as the council shall find convenient.]

21st October 1636.

Compeired Capitan Major Barclay and acted himselff . . . that he sall not use the tred of merchandice heirefter except he be burges and frieman of some of His Ma. frie Royall borrowes . . .

26th October 1636.

[With regard to the impost of the merk per tun] considering that the up-taking of the said impost of all guids indifferentlie may prove too burdenable to the liedges thairfore they have estimat the tun of the goodes underwritten in maner following viz. ane last of all kynd of corne to ane tun threttein bolles of salt to ane tun . . . and becaus of the necessitie of Noroway tymber they have ordaynit and ordanis that ilk Noroway schip whatever thair birth of tunes salhappin to be to have ane thrid frie. . . .

Estimatoun  
tunes of all  
goodes.

<sup>1</sup> Son of Edward Henryson, also Senator, who died before 10th March 1591. Lord Chesters erected a monument to his memory in Grayfriars' Churchyard. He himself died on 3rd February 1638.



28th October 1636.

[Master Alexander Gibsoun, professor of humanity, resigned his post. <sup>1</sup>

The last treasurer is to borrow 20,000 merks to repay the treasurer of the Parliament House and to keep the work going.]

2nd November 1636.

[Commissioners are named to meet with those of the College of Justice for choosing a new regent of humanity.]

Wheras Mr Alexander Gibsoun late Regent of humanitie haiveing grantit unto him ane act . . . for the first vacand plaice of ane regent in King James his colledge conforme to ane act daitted the 19 of November 1634 the counsall finding the said Mr Alexr. not to have earyed himself deutifullie in agricing with any without thair knowledge thairfore they dischaarge the foresaid act . . . <sup>1</sup>

Act favoris of  
Gibsoun . . . to  
be delet.

4th November 1636.

[The neighbours are to be extented for the sum of 40,000 merks and for 1,000 merks for the expenses of its collection.]

Charles Hamilton, last treasurer, declared that, in accordance with the council's instructions, he had borrowed for the work of the Parliament House 10,000 merks from Mr Robert Nicolsoun and his wife, and 4,000 merks from Peter Blaikburne.]

12th November 1636.

[Mr James Wyseman, master of the grammar school at Linlithgow, is appointed regent of humanity in the college.]

The treasurer is to pay 54 li. to Mr Robert Lumbsden for his work in making a catalogue of the college library.]

18th November 1636.

Appointes to try the inormities of the colledge James Cocherane, John Smith, George Suittie and Stephan Boyd with Maister Alexander Guthrie and Johnne Pringill and to report to the counsall with all diligence.

Innormities  
Colledge.

Remittes thair consideratioun of the transporting of doctor Eliot to the Proveist and baillies and to doe therin as they sall think meitt and expedient.

Transporting  
of Dr. Eliot.

Appointes Johnne Smith and Johnne Rynd to advyse anent the Trinitie hous of Leith and to use all meanes quherby the counsall may have ane hand in that mater that these thinges belonging therto may be broecht to the dew uses whairunto they ar apointed and be na utherwayes employed and to report.

Trinitie hous of  
Leith.

<sup>1</sup>See 27th December 1633 (p. 136 *supra*) and 19th November 1634 (p. 152 *supra*) and notes. According to Crawford, he accepted the post of master of the Canongate Grammar School. By this action he offended the Council.

*23rd November 1636.*

[Bread, 12 d. loaf of the best sort to weigh nine ounces, 12 d. loaf of the second sort, called "sour" bread, to weigh 11 ounces 4 drops, 12 d. loaf of the best rye bread to weigh 1 lb. 4 ounces.

Ale, price per pint, 18 d. ; beer, price per pint, 20 d.]

*25th November 1636.*

Capitan Hird  
unlawit.

Forsameikle as Capitan Alexander Hird being cum home frome the eister seyis with his schip from suspect plaices did without licence goe aschore at Kirkcaldie and lyikwayes cum aschoire himself at Newheavin, and also brocht in his schip to Leith herbarie before he had licence of the baillics of Leith quhilk he confest. Quhairfore the counsall unlaues the said Capitan in the soume of tuentie sevin pundis.

*2nd December 1636.*

Admissio  
Ritchie  
burges.

Ordanis the deyne of gild and his counsall to admitt and ressave Johnne Ritchie Mr maissoun of the Parliament hous burges of this burgh for payment of the accustomed dewtye and to repay the same bak againe.<sup>1</sup>

*7th December 1636.*

Precept  
wainscott  
churches.

Ordanis the thesaurer . . . to buye the tuelf score waynescott laitlie cum home for the use of the churches and to borrow the soume of auchtein hundreth fyftie four pundis . . . for payment thair of . . . and to sute repayment thair of of the first of the contributioun for the churches. . . .

*16th December 1636.*

Furneissing of  
aikin tymber  
Parliament  
hous.

Ordanis Johnne Edgar thesaurer to the Parliament hous to agrie with Obert Lawsoun in Zuitland in Denmark in the counsallis name for furneissing of aikin tymber for the said house. . . .

*23rd December 1636.*

[Mr Cornelius Ramsay, student. presented 100 merks with 39 merks of annual-rent, for the hospital, as left in legacy by his brother, the late David Ramsay.]<sup>2</sup>

*24th December 1636.*

Declaratioun . . .  
anent thair  
signatour of  
sole libertie of  
traid within  
West Lawthian.

Forsameikle as certain noblemen and barrounes within West Lawthian hes maid sum pretendit oppositioun to the signatour laitlie past be his Ma. in favours of the guid toun upon pretext that the claus of the signatour beiring

<sup>1</sup>This entry seems to indicate that the master mason was not a native of Edinburgh. It is curious that the craft seem to have made no protest about his employment, if he were both a stranger and an unfreeman.

<sup>2</sup>End of Volume 14.

the sole libertie of traid of merchandice within West Lawthian in sua far as is competent to ane burgh Royall nicht preiudge the Noblemen barrounes and gentlemen within the said sherefdom of the liberties and priviledges competent to theme be the lawes of the Kingdome thairfore the saids Proveist baillies and counsall for remooving of all scrupill heiranent declaires that the said claus of sole libertie as said is sall nawayes be preiudiciall to quhatsumevir Noblemen barrounes and gentlemen . . . bot that both pairties salbe in the same conditioun theranent as they wer before the dait of this signatour.<sup>1</sup>

28th December 1636.

Whairas thair being granted be his Ma. to the guid toun ane signatnr daitted at Newmarkett the 25 of October last whairin it is declared that the same sould nowayes preiudge his Ma. richt trustie cuseyne James Duik of Lennox heich admirall and Chalmerlane of Scotland his aires and successours in the richtes of the saids offices of whatsumevir richt tytill or clame which he may have to any of the liberties priviledges jurisdictiones commodities or uthers what sumevir conteynit thairin granted to the guid toun and thair predicessours or ratified be his Ma. in thair favours as accordis of the law and that the said Admirall and Chalmerlane and his foresaids and the said burgh and thair successours salbe in the same estaitt and conditioun anent all richtes and priviledges tuiching the saids offices as they were before the daitt of the said signatour and as if the said signatour had never bein grantit as the said signatour at maire lenth beires and the counsall being willing never to obtrude the said signatour to the said heich admirall and chalmerlan thairfore thay doe be thir presentis declair that if anye questioun sall arryse heirefter betwixt the said admirall and the guid toun that they sall never obtrude nor oppone the said signatour.

Declaratioun  
Guid Toun  
anent thair  
signet or  
nowayes to  
preiudge the  
Duik of Lennox.

11th January 1637.

Appointes to confer and sett down ane solid course anent the government of the whole merchands of this burgh Proveist baillies deyne of gild thesaurer George Suittie Archibald Tod Stephan Boyd Williame Trotter James Guthrie Thomas Patersoun and to report.<sup>2</sup>

Commissioners  
to treatt and  
sett down ane  
solid course  
anent  
merchands.

[Master John Lokhairt elected teacher of a vulgar school.]

13th January 1637.

Forsameikle as the counsall calling to mynd the maniefold guid offices doone be David Aikinheid present Proveist to the guid toun and being willing

Licence corps  
David Aikinheid  
Proveist to be  
interit in the  
Grayfriar  
Church.

<sup>1</sup> See 28th January 1630 (pp. 66, 67 *supra*), 3rd July 1633 (p. 128, *supra*), where the signature was first mentioned, and 14th September 1631 (p. 96 *supra*), where customs in Dalkeith were renounced by the town.

<sup>2</sup> See 20th July and 3rd August 1636 (pp. 179, 180 *supra*). The reorganization of the merchants by charter as the Company of Merchants did not come till 1681.

to schow thair thankfulness thairfore they grant licence and priveledge to his childrein or anye of them that when it sall pleis God to call him furth of this transitorie lyiff to lay his corps within the church in the Grayfrier yaird with ane through stane and if they sall think guid grantis licence to erect ane tomb or uther monument as they sall plais without preiudice of the lichtes betwixt any of the buttrages of the said kirk without the walles of the said church.

Order merk of  
the tun  
tredders to the  
eister seysis.

Forsameikle as the counsall understanding that thair is ane questioun mooved be certan of the nichtbours tredding to the eister seysis anent the payment of the late impost of ane merk upone the tun of goodes cuming from the eist being partlie pak guid and pairtlic waynescott and they being willing to give all men ressonabill satisfioun hes thairfore thocht guid for the better ease of the nichtbours that the collector of the said impost sall at the arryvall of anye of the saids schips they being full laidnit sall inquyre anent the birth of the saids schips in tunnes which being condiscendit the said collector sall uplift the tua pairt allanerlie so that the thrid of the burdein being rebaitted of the birth will mak up more nor the difference of the guids cuming frome uther pairts and wheras it may fall out that sum schip may cum hither with ane pairt laidning and rest ballast in this caice they ordayne the said collector to proceid with the lyik directioun anent the laidning as with others and this ordour to be keiped in all tyme cuming in sua far as is not sett down and prescyved be the act maid the 26 of October last.

*18th January 1637.*

[There is recorded the mortification by Janet Makmath, now wife of William Dick, younger, of 1,000 merks to the poor of Paul's Work.]

*27th January 1637.*

[John Scott is appointed master wright to the Town. The treasurer and the treasurer to the Parliament House are to contract with him, as with other masters of the said craft.

John Mylne, master mason, is appointed master of work to the building of the two new churches, on the condition that the council, if they judge necessary, may employ another.]

*1st February 1637.*

Discharge . . .  
ballast.

Forsameikle as the counsall haiveing appointed Johnne Slowan to be ballast maister and that he at thair directioun hes undertaken the said worke and hes build tua cabarris for that service thairfore the counsall discharge all maisters of schips in Leith from geving out or ressaiving of any ballast except frome the said Johnne and his servandis under the payne of paying the said ballast to the said Johnne and funder punischment at the optioun of the magistrattes and ordains proclamatioun to pas through the town of Leith that nane pretend ignorance.

[The extraordinary deacons agree to John Myln and John Scott's appointments.]



*8th February 1637.*

Forsameikle as the guid toun being addebted to the sessionns of the severall parochins of this burgh in the soume of tuentie thousand merkis . . . and the baillies compeiring declaired that throuch the incres of the poore in this yeir of scairectie the sessionns desyred the soume of fyve thousand merkis to be givin to thair thesaurer for releif of the saids poore in pairt of payment of the said principall soume thairfore the counsall hes ordaynit . . . the thesaurer . . . to borrow upone proffeitt the said soume of fyve thousand merks and to delyver to the thesaurer of the kirk the same in pairt of payment. . . .

Precept  
thesaurer  
vm merkis.

The counsall finding it necessar for information of theme and thair successours that ane inventar be maid of thair writtis contening thair richtes and liberties, thairfore ordanis the baillies with thair clerk to tak sum solid course for doeing therof.

Inventurie . .  
writtes.

*10th February 1637.*

[The treasurer is ordered to borrow 5,000 merks for the building of the Parliament House.]

*22nd February 1637.*

Compeired the baillies and declaired that according to the act of counsall of the daitt the aucht of this instant they had considerit the necessitie of the inventar mentioned in the said act and had fund it expedient for thair better informatioun of all things concerning the guid toun in libertie or propertie that the said inventar sould contain thair particular liberties and privileges also all uther propertie as alsua the particular actes of counsall at leist the daittes thairof concerning anie of theme and all to be insert in ane book which book sall also contain the particular instructiouns sett down be the counsall ather for governing the toun in lawis and ordinances or for all particular officemen within the same, and that all bandis and dischainges belonging to the toun which ar not ordinar salbe inacted in the said booke be them selffes And last that all thair evidents sould be ordourlie digested and plaiced in severall boxes in the cabinat maid for this effect and the said book sould contain ane not of the box whair each evident is to be fund. . . . [The council approve the report and commission the bailies to arrange for carrying it out.]<sup>1</sup>

Agreement  
inventarie of the  
haill writtis of  
thair Charter-  
hous.

*3rd March 1637.*

David Jonkein thesaurer to the building of the churche in the northwest quarter compeirand declaired that he was necessitat to goe out of this cuntry for doeing of his necessar effaires and thairfore desyred to be fred of the said thesaurarie Quhairfore the counsall accepted of his excuse and fries him of his said plaice and elects . . . Williame Mure merchand to be thesaurer to the building of the said churche. . . .

Dimissio  
thesaurer to the  
building of the  
Kirk in the  
N.W. quarter.

<sup>1</sup> The Bailies' accounts show this was done.

31st March 1637.

[The dean of gild and his council are to admit Hew Quhytfoord, son of Dr. Walter Quhytfoord, Bishop of Brechin, to be burgess and gildbrother gratis. He is to be admitted burgess at once and gildbrother within two years.]

5th April 1637.

... Members of  
the colledge of  
justice... main-  
tenance of the  
ministrie....

The counsall haiving delt by all meanes possibill in ane fair and peaceabill way to have drawin in the members of the colledge of justice to have maid payment of thair dewes of the soumes of money yeirlic to be collected of the inhabitants of this burgh towards the help of the maintenance of the ministrie of this burgh wherin they could effectuat nothing Thairfore ordanis the Proveist and baillies to tak all such courses wherby the saids members of the said colledge of justice may give obedience to the act of secreitt counsall maid theranent and what course they sall tak the counsall does approve and allowis of the same.<sup>1</sup>

Forsameikle as upone the questioun betwixt the counsall and members of the colledge of justice anent ther pairt of the ministers stipends of this burgh the not decisioum therof hes maid that collection to lye over whairthrow the counsall is disapointed of the soumes whairout of the saids ministers sould be payed Thairfore the saids ministers hes bein frustrat of ther candlemes quarter and the counsall not being willing they sould altogither be disapointed Thairfore they have agried that the soume of tua thousand fyve hundreth merkis be borrowit upone interest for payment of the said quarter till furder course be taiken theranent. . . .

12th April 1637.

[The treasurer is to borrow 6,000 merks for the work of the Parliament House.

The extraordinary deacons ratify the act for borrowing 1,500 merks to pay the Candlemas quarter of the minister's stipends.]

21st April 1637.

[Sir John Sincler and James Guthrie appointed commissioners to the General Convention of Burghs at Aberdeen in July.]

26th April 1637.

Statut . . .  
brokers in  
Leith. . . .

The counsall being informit of the abuse commitit be the brokers in Leith to straingers resorting thair frome forraine partis Thairfore they have statut . . . that ilk broker sall have for his paynis and travellis to be taikin be him

<sup>1</sup> See 22nd April 1636 and note (p. 175 *supra*).

from the strainger in selling of any commodities to the meane of ilk hundreth of all goodes in selling quherof they salbe imployed and als meikle of all goodes any of them sall buye as broker to any strainger to be exported outward be theme in tyme cuming And ordanis ilk broker to have ane booke to be markit and allowed be the counsall or baillies of Leith wherin they sall insert the skippers name of the schip quherunto thai ar broker ; the tyme of the arryvell of the schip at Leith and the quantitie of the goodes in the said schip and to whome they belong and to whome they sell the same in name of the strainger ; and quhat pryce is gottin for the same and that under the payne of deprivationn. This act intimat to Alexander Balfoure Williame Schankis Alexander Toures and Johnne Diksoun present brokers.

*28th April 1637.*

[The accounts of the voluntary contribution for building the Parliament House show a charge of 518 li. 19 s. 4 d., and an equal discharge. A list of those, who have not yet paid, is to be given to the bailies, who are to collect from them.

The accounts of the treasurer to the Parliament House show a charge of 23,776 li. 10 s. 4 d. and his discharge of 23,789 li. 12 s. 10 d.]

*5th May 1637.*

[The weaponshowing is to be held on 7th June.

Twenty-three journeymen cordiners] being apprehendit for making convocation and combyng together unlauffullie wer incarceration within the Tolbuith of this burgh gaive in thair supplicationounes craiveing pardoun for thair offence and submitting theme selfis in the counsallis will whairfore the counsall findis the saids persounes to have doone wronge and thairfore ordanis the saids persounes to acknowledge thair wrong upon thair knies to the counsall and the maisters and to be obleist not to committ the lyik bot to carye themselfes peaceable in all tyme cuming. . . . [This they did under pain of banishment.]

[Convocation cordiners.]

*17th May 1637.*

Ordanis the maireches to be riddin upone Tysday nixt the tuente thrid of this instant be the whole counsall under the payne of fyve pundis to be payit be the absentis.

Ordinance . . .  
for ryding the  
merches.

*26th May 1637.*

[The treasurer is to borrow 3,500 merks, spent by him on the Town's affairs at command of the Provost and bailies.]

[He also is to borrow 1,100 li. to pay for lead brought for the Parliament House, 600 li. for oak and fir planks for the same use, and 800 li. for other timber. Because the treasurer to that work is overspent and lacks money to continue the treasurer is to borrow 3,166 li. 13 s. 4 d., and to deliver the money to him.]

*14th June 1637.*

[The Kirk treasurer is to pay 100 li. to Mr Patrick Mernis, minister at Wemyss, towards the repair of his manse.]

*16th June 1637.*

[The accounts of David Jonkein, last treasurer to the building of the northwest church, show a debit balance of 680 li. 5 s. The present treasurer is to repay him.]

*23rd June 1637.*

Legacies,  
Sir Hendrie  
Wardlaw.

[John Smith, bailie, has received from Dame Elizabeth Wilson, Lady Pittravie and her son, Mr John Wardlaw, certain sums of money left in legacy by Sir Henry Wardlaw of Pittravie, to the Town, as follows]: the soume of tua thousand merks scottes . . . for a help . . . to the building of the new kirks of Edinburgh. Item the soume of fyve hundreth merkis scottis . . . to be delyverit to the primar and regents of this burgh to buye bookes. Item the soume of ane thousand merks scottis . . . to the poore householders of Edinburgh. Item the soume of ane hundreth pundis scottis . . . to the hospitall at the foote of Leith Wynd. Item the soume of ane hundreth merks . . . to the distressit prisoners in the Tolbuith of Edinburgh. . . .

Bulk  
Colonell  
Munro.

Compeired George Taelyeour agent and in name of Colonell Munro presented ane book intituled Munro his expeditioun in token of his affectioun to the guid Toun.

*6th July 1637.*

[Mr William Hay is appointed depute-clerk in the absence of Mr Alexander Guthrie on the Town's business.]

*7th July 1637.*

[Mr James Welands is appointed a vulgar schoolmaster. He is to serve as reader in any of the Town churches when such a place is vacant.]

*21st July 1637.*

[The sum of 10 dollars is to be paid to Mr Robert Lumbsdell for his new copy of the catalogue of the library.]



28th July 1637.<sup>1</sup>

[Mr James Fairlie, second minister of the Grayfriar Church, now elect of Argyle, resigned his charge.]

12th August 1637.

[The treasurer is to borrow 8,000 merks and to give to the Kirk treasurer 6,800 merks to pay the ministers' stipends, since the collection of the duty on the house rents has not yet been collected.]

Compeired Johnne Bynnie thesaurer apointed for Sanct Jeiles church and declaired that be the advyse of such as wer apointed be the counsall he had agried with Johnne Mylne maister maisson for repairing of the gritt eist window in the queir of the said church for hewing and setting up of the staine worke thair of conforme to the plott schewen the said thesaurer furneissing materialles for the soume of ane thousand [ ] and ane stand of cloathes or ane hundreth pundis whair of the counsall allowis. . . .

Agriement . . .  
St. Jeilles  
Church with  
Johnne Mylne  
. . . for repair-  
ing of the gritt  
eist window.

14th August 1637.

Ordanis the present baillies and counsall to goe and accompanie the corps of umquhill David Aikinheid present Proveist of this burgh to the buriell quha is presentlie to be buried at tua efternoone, viz. the present baillies with the deane of gild thesaurer . . . and the auld baillies . . . all with thair reid gownis and the rest of the counsall and deacones of craftis with blak gownis . . . in sic ordour and decencie as is presentlie sett down. . . .<sup>2</sup>

Ordinance  
counsall to  
accompanie the  
corps of  
umquhill  
David Aikinheid  
laltt proveist in  
ther gownis.

16th August 1637.

[Mr Henry Aikinheid, minister at North Berwick and Alexander Aikinheid, writer, sons of the late Provost, delivered the sword and mace to the council.]

Forsameikle as the Proveist baillies and counsall haiveing granted unto theme for help to the ministers stipends of this burgh the soume of tuelf thousand merkis yeirlie to be uplifted of the inhabitants of this burgh conforme to the proportiouns of thair house mailles . . . whairnpone thair haiveing arissen ane contestatioun be the advocattis wrytters and uther members of the colledge of justice the samin was at lenth satled be commoun advyse be the lords of his Ma. sessioun and colledge of justice which [ ] then maid for the saids members of the colledge of justice thair pairt of the said soume was accepted

Acceptatio . . .  
with the  
colledge of  
justice  
honse mailles  
. . .

<sup>1</sup> Between this date, and the preceeding entry, occurred the tumult in St. Giles upon the attempt to use the new Service Book, 23rd July, and, according to Gordon, a special meeting of the Privy Council on the following Monday, to which the Magistrates came professing their abhorrence of the disturbance, as also a special meeting of the Town Council on the 27th (Gordon's *History of Scots Affairs*, vol. i. pp. 4-11).

<sup>2</sup> See 13th January (p. 185 *supra*).

at command of the counsall be the proveist and baillies upone the tuentie nynt of Julij last as ane act and decreitt registrat in the buiks of sederunt of the daitt foresaid at mair lenth beires whiche being red in presens of the counsall they ratifie and approve of the said acceptatioun.<sup>1</sup>

18th August 1637.

[The late David Aikinheid left 200 merks to the hospital.]

23rd August 1637.

[The accounts of the last bailies of the fines show a charge of 746 li. 2 s. 8 d., and a discharge of 1,784 li. 16 s. 2 d. Their accounts of the extent show a charge of 27,389 li. 6 s. 8 d. and a discharge of 23,902 li. 0 s. 1 d.]

Grantis testificat testifieing Issobell Makmath spous to James Makmath merchand to be lauffullie served aire to umquhill James Makmath hir brother sunetyme indueller in Nimiken in Gilderland and that the goodes pertening

<sup>1</sup> See 22nd April 1636 and note (p. 175 *supra*). The agreement is recorded in vol. v. of the Books of Sederunt of the Lords of Council and Session, as follows :—

29th July 1637. In presens of the Lordis of Counsale and Sessione compeirit personalie the Advocattis Clerkis, Wryteris to the Signett, previe and greate Seallis and remanent memberis of the Colledge of Justice. And thair judiciallie exponed and declaired that notwithstanding of the immunitie and exceptione maid in thair favours in the act made by the Lordis of Privie Counsale of the daite the 18th day of March the yeir of God 1634 yeiris upon ane reference maid to thame by act of parliament in anno 1633 anent the uplifting of ane yeirle dewtie of twelfe thousand merkis moneie of this realme from the inhabitantis and induellaris of the said burgh of Edinburgh according to the quantitie and proportioun of the maill quihilk they pay or the houses quhair they reside may pay for helping to pay the ministers support of the said burgh as the said act of counsale (quherin the saids Advocattis Clerkis wryters and remanent members of the Colledge of Justice forsaid ar excepted) of the dait forsaid at lenth beiris. Yitt the saidis advocattis clerkis, wryteris and remanent members of the Colledge forsaid for thame selves and thair successors in the saids places and offices to testifie thair godlie dispositione to the furtherance of God's service under the speciall provisione and conditione efterspecificet judiciallie offered and by thir presents doe offer to pay yeirle during thair residence within the said burgh of Edinburgh not excluding bot comprehending herein all vacance and feriate tymes to the proveist, bailies, counsale and communitie of the said burgh and their Thesaurer Collector and otheris to be appointed be thame present and to come and that allanerlie to the behoof of the saids ministers serving the cuire at the kirkis within the said burgh. All and hail the sounne of ellevin pennies moneie of this realme furth of ilk twentie shillingis of mail quihilk shall be payed by the saids members of the Colledge of Justice for thair housis, chambers and boothis occuppyed and possesst by thame or other ways according to the same proportioun effeirand to the stent of the housis, chambers or boothis possesst be thame by heritage, lyfrent or favour, And that yeirle and termelie . . . beginning the first termes payment therof at the feist and terme of Witsonday last bygane and so furth . . . So lang as the Sessione shall not be commandit by authoritie to sitt at any other place or burgh outwith the said towne of Edinburgh. . . . Under speciall reservatioun provisione and conditione maid by the saids advocattis clerkis, wryteris and remanent members forsaid that the said voluntar offer shall naways be prejudiciall to thame of all thair privileges, liberties and immunities quhatsoever. Quihilk voluntar offer the saids proveist and bailies . . . compeirand personallie befor the saids lordis of counsale and sessione for thameselves and in name and behalfe of the counsale and communitie of the said burgh accepted and does accept with the expres provisione, conditione and reversatioun of the privileges forsaid to the quihilk voluntar offer and acceptatioun abovementionit the said lordis of counsale and sessione hes interponed and interpones thair decreit and authoritie. And statuttis and declares that heirefter none shall be admitted reputed nor haldin members of the Colledge of Justice to enjoy any benefite or priviledge thairby *aut eo nomine* bot such as shall ratifie and approve the present act and give readie obedience thairto. . . .

to the said unquhill James does pertain to hir be the lawis of this kingdome, [as also that she has appointed her surviving son, William Makmath, her procurator in the business.]

28th August 1637.

[Sir John Hay, Lord Register, presented a letter from the King postponing the election of a new Provost.]

6th September 1637.

[The bailies, dean of gild and some of the council having, on 16th November last, admitted William, Lord Alexander, Harry Alexander, his brother and Sir Antony Alexander with Mr James Gordon, burgesses and gildbrethren, their names are to be inserted in the book, and, at their desire, Malcolm Alexander, John Ingrum and John Mair, servant to Lord Alexander, are to be burgesses, with William Carmichaell, servant to Mr Alexander Gibbsoun, younger of Durie, burgess and gildbrother, and Thomas Mathie, also his servant, burgess.]

8th September 1637.

[The accounts of the last treasurer show a charge of 144,265 li. 9 s. 10 d., and a discharge of 147,688 li. 12 s. 9 d., leaving a debit balance of 3,423 li. 2 s. 11 d.]

13th September 1637.

Ordanis thair clerk to wryte ane missive letter in thair names to cite James Weir Thomas Cunninghame James Eleis and Robert Griersoun factors in Campheir for comeprance before the commissioneris of the borrowis to be conveynit at this burgh the tuentie of November next . . . conforme to the act of borrowis maid at the last generall conventioun haldin at Abirdein in July last.

Precept . . .  
missive for  
citing . . .  
factours . . .

Forsameikle as the counsall understanding that the duik of Lennox his graice is to be in the abbay of Halyrudhous to morrow at nicht Thairfore ordanis the baillies with the coursall to attend his cuming and to welcum his graice and to invite him to ane banquet at such tyme as they can learne of his tymes. . . .<sup>1</sup>

Act . . . the Duik  
of Lennox his  
graice . . .  
banquett.

<sup>1</sup> See *Balfour* ii. p. 234. On 20th September the Duke was on his way to Court. Gordon (*Scots Affairs*, vol. i. p. 18) states that James, Duke of Lennox, was at that time in Scotland for his mother's funeral. She, Lady Catherine Clifton, widow of Esmé, Duke of Lennox, and thereafter married to James, Duke of Abercorn, died at Paisley on 21st August, and was buried there on 17th September, by night, without any ceremony, "for her husband, mainly by her princely carriage was more than 400,000 merks in debt" (*Baillie's Letters*, vol. i. p. 9). The Duke, while in Scotland was approached by many ministers who entreated him to present to the King remonstrances against the Service Book. He was deputed also by the Privy Council "to remonstrat to his Majestie the trew estat of the bussines with the manie pressing difficulteis occuring therein" and to present a selected few of the petitions received against the service book with a list of the rest (*P.C.R.* vi. p. 529).

18th September 1637.

[Sir John Hay, Clerk Register, produced the following letter from the King]:

His Ma. Letter  
for . . . electing  
of Sir Johnne  
Hay . . . to be  
Proveist.

Chairles R. Trustie and weilbelovit we greitt yow weill we were pleased laithie to recommend unto yow a delay in the choyce of your Proveist until we sould signifie oure further pleasoure unto yow wherin we have understood frome our clerk of Register of your deuitfull obedience and now in regaird of severall thinges especiallie at this tyme concerning oure service and in particular the peace of that Citie we have thocht it expedient that one of whose sufficiencie frome oure owne knowledge we have assurance may at this tyme haive that chairge amongst yow And as we have bein hithertillis gratuslie pleased to construe favourable of what is fallin out amis of the prosecutioun of oure ordinances laithie thair; So we are willing yitt heirby to expres oure cair over yow; And thairfore we doe especiallie recommend unto your caire that our trustie and weilbelovit Sir Johnne Hay knicht oure Clerk of Register be putt in leitt and maid choyce of for your Proveist for this yeir cuming. We ar confident that this oure desyir will be more acceptable unto you in regaird of his manye guid services doone to us in the faithfull and painfull dischaarge of his employments heirtofore frome you for the guid of that Citie; And as we sall be verie unwilling so innovat any thing concerning the act of Parliament maid anent the cheising of the Magistrattis of borrowis without speciall occasion; So we doe at this tyme dispens therwith so far as it may be heirby concerned; which we heirby declare salbe without preiudice of any of your priviledges, which we sall evir be cairfull to mantein; And we have givin him oure speciall command to accept of the said chairge; So not doubting of your forwardness in this or any thing may concerne oure service thair We bid yow fairweill frome oure court at Oatland the tent of September 1637.

The counsall continewis to the morne at nyne in the cloak and ordaines the baillies and counsallours absent to be wairnit to the said tyme.

19th September 1637.

[The whole council being present, put on the leet for Lord Provost Sir John Hay, Clerk Register, Sir Alexander Clerk of Pittencreiff, and Sir John Sinclair of Stevenson, and from the leet elected Sir John Hay.]<sup>1</sup>

22nd September 1637.

Ordinance . . . to  
supplicat . . . his  
Ma. Secreitt  
counsall . . .  
anent the  
service buik . . .

Forsameikle as the Magistrattis being upone Setterday last requyred be the lordis of his Ma. secreit counsall for resaiveing of the new service buik and

<sup>1</sup> This election was put through before the election of the council for 1637-8. Although the act recording it bore that the appointment was for the yeir to come, the council seemed to have judged it necessary to go through the form of Sir John Hay's leeting and election at the time of the election of other magistrates. They produced a new leet containing the names of Sir John, Sir Alexander Clerk and William Dick and, on the statutory day, 3rd October, re-elected Sir John Hay. It appears to have been an attempt to assert to themselves or, possibly to the townsfolk, their freedom of election. They phrased it "for obedience to His Ma. letter produced of before and for preservatioun of the liberties and keiping of thair yeirlie ordour."



for concurring and assisting of the said service as had bein formerlie promised Hes procured this day to be advysed thairwith which being now impaired to the counsall And they haiveing taiken the same to thair serious consideratioun hes thoct guid that thair salbe ane supplicatioun presentit to the lordis of his Ma. Secreitt counsall in name of the baillies and counsall of this citie schewing thair willingnes according to thair powars to contribute in all his Ma. services thair best indeavours wheranent they had given guid prooffe to the saids lords before the 23 of August last and hes still manteyned and govermit this citie in peace and quyetnes, Bot the resort of the Nobilitie, gentrie and diverse ministers the said day and tuentie of this instant had givin such informatioun anent the said buik that they have so alienated thair myndis that no such assurances can be expected now as formerlie they had, And thairfore to beg at thair handis that since they had nevir schewen theme selfes refractarie nor hes givin no concurrance with any uthers in this purpose and to thair powar sall mantein this citie in peace quietnes and dew obedience in all things. That thairfore the saids Lords vald be pleased to urge nathing upone theme more nor the rest of the cuntrey nor to mak theme anie approprie to the rest of the Kingdome Bot that they may remayne in this purpose in the same estaitt with the rest and ordains the Magistrattis to give in the said supplicatioun.<sup>1</sup>

The counsall thinks fitt and ordanis anent the service buik that the Proveist and baillies sall tak course for acquainting his Ma with the trew estaitt of the maitter and for continewing his Ma. favour towards the guid toun as they sall think expedient.

*29th September 1637.*

Forsameikle as the guid toun being upone thair publict workes and uther gritt effaires broecht into gritt debt before the entrie of James Roucheid thesaurer to his office at Michaelmes last 1636 yeires so that the said thesaurer wes drawin to borrow gritt soumes of money for payment of the tounes annualrent upone his owne credit which burdein the said thesaurer does alledge him self to nderlye to his gritt hurt and preiudice which being considerit be the counsall They have ordaynit and ordanis that at the fitting of his comptes notice salbe taikin of the said burdein and accordinglie promittis that ordour salbe taikin for his releiff whairthrow he may not suffer any gritt preiudice be his said office.

Act . . . to  
releive the  
thesaurer of  
anye burdein he  
hes givin band  
for.

<sup>1</sup> Sir John Hay, as Provost, was not present at this meeting. The communication from the Privy Council, alluded to, was of 22nd September, no previous message apparently having been recorded. It recommended "to the provest, baillies and toun clerk of Edinburgh to advise with thair counsell anent the most conduccable meanes for satling the service booke within thair kirks in a peaceable way and to report thair resolution to the counsell upon Moonday nixt" (*P.C.R.* vi. p. 532). On 25th September they recommended to the baillies and toun clerk "to advise upon a deutfull and satisfactorie answer anent the service book" (*Ib.*, p. 533). Apparently the act recorded above was not suitable for transmission to the King. On the following day the baillies produced their petition in writing, "desyring for the reasons therein conteanit not to presse thame with the receaving of the service booke till his Majestie signifie his pleasure concerneing the same, and that their petition be offered to his Majesteis gracious consideration. The Lords having heard the petition and considering the time of the change and election of magistrats now approacheth, they ordaine a letter to be writtin to his Majestie to the effect abone writtin."

4th October 1637.

[Baron bailies of Leith, William Reid and Patrick Baxter; water bailie, William Reid.

Council for the year 1637-38 : *Provost*, Sir John Hay; *Bailies*, William Gray, Robert Fleyming, William Wilkie, John Trotter, younger; *Dean of Gild*, Sir John Sincler; *Treasurer*, James Roncheid; *Council*, William Dick, James Cocheran, Andrew Ainslie, John Smith, Charles Hamiltoun, Archibald Tod, George Suittie, John Moresoun, James Murray, yo., James Rae, yo., Thomas Inglis, pewterer, Gilbert Somervill, tailor; *Deacons*, Thomas Quhytt, armorer, James Guthrie, skinner, Thomas Patersoun, tailor, David Douglas, Surgeon, John Scott, goldsmith Patrick Aitkyn, shoemaker; *Extraordinary Deacons*, Thomas Weir, furrier, John Frank, wright, John Mylne, mason, David Nisbett, baker, John Boutcher, flesher, James Forrester, weaver, Daniel Robertsoun, waulker, Robert Lauchlane, bonnet-maker.]

6th October 1637.

Bill of health  
Thomas  
Wilsoun  
bound to  
Lighorne.

Grantis bill of health to Thomas Wilsoun, maister of the guid schip callit the Johnne of Leith bound to the port of Lighorne laidned with walx linning and uther commodities pertaining to David Wilkie merchand and uther burgessis of this burgh and testiefieing that thair is tuentie persounes in the said schip and that they ar frie of the plague as this whole kingdome is [Praised be God] under the seal of caus and subscription of thair clerk.

Statut . . .  
dischairging of  
the wemen from  
weiring of  
plaids. . . .

Forsameikle as notwithstanding of divers and sindrie laudabill actes and statuttis maid be the Proveist baillies and counsall of this burgh in former tymes dischairging that Barbarous and uncivill habite of wemen's weiring of plaids, yit such hes bein the impudencie of many of theme that they have continewit the foresaid Barbarous habite and hes addit therto the weiring of thair gounes and Pittiecottis about thair heeds and faices, so that the same is now becum the ordinar habite of all wemen within this Citie to the generall imputatioun of thair sex, Matrones not being abill to be discerned frome strumpettis and louse leiving wemen to thair ounne dishonour and scandale of the citie. Which the Proveist baillies and counsall haiveing taiken to thair serious considderatioun Thairfore . . . ordanis that non of whatsumevir degrie or qualitie presum efter this day to weir plaids upone the streittes vennellis of this citie or within the churches thair of . . . under the payne of escheitt of the saids plaids not onlie be such as salbe appointed to that effect bot be all persounes who sall challenge the same, and that no wemen weir thair gounes or Pittiecottes about thair heads and faces under the payne of ten pundis to be payit be wemen of qualitie for the first falt, tuentie pundis for the secund and under such farder paynes as it sall pleas the counsall to inflict upone theme for the thrid falt and under the payne of XLs to be payit be servandis and uthers of lawer degrie for the first falt fyve pundis for the second and banischement of this citie for the thrid falt and ordanis this present statut to be intimat through this burgh be sound of drum that non pretend ignorance heirof.<sup>1</sup>

<sup>1</sup> See former proclamations on the same subject, 25th July 1628 and 20th April 1631. This proclamation, however, is longer and more explicit.

18th October 1637.

Appoints James Cocheran Johnne Smith merchandis and Thomas Pater-soun taelyeour to coneur and assist with the rest of the commissioners of the borrowis who ar heir present for supplicatting his Ma. for dischairgeing the service buik, restoring of the commoun prayers, within this burgh and reponing of the tuo ministers presentlie silenced with Mr Patrik Henrysoun.<sup>1</sup>

Ordanis letters to be direct in thair names to thair freinds for recalling the proclamatioun maid anent the removeall of the counsall and sessioun out of this burgh and that be advyse of the Proveist baillies deyne of gild and thesaurer with Thomas Quhytt armorar and ordanis the thesaurer to direct the saids letters and what he sall deburse therupone sall be allowit to him in his comptes.<sup>2</sup>

1st November 1637.

[Bread, 12 d. loaf of best wheat, 11 oz. 12 drops ; 12 d. loaf of "sour" bread, 15 oz. 10 drops ; 12 d. loaf of rye bread, 1 lb. 3 oz. Ale, 16 d. the pint ; beer, 20 d. the pint.]

10th November 1637.

[There was repaid to David Makcall, late treasurer, the sum of 12,000 li. with annualrent and a bond was given to him for the sum of 17,012 li. 7 s. 11 d. still due.]

22nd November 1637.

Grantis licence to Archibald Lord Naiper to sett up ane stone upone that pairt of the south syid of Sanct Jeillis Churche wher the hous of Merchingstoun had ther airmes of before.<sup>3</sup>

[The council understanding that John Edgar, treasurer to the Parliament House was overspent in large sums and had no money in his hands for earrying forward the work "being now brocht to such ane perfectioun," ordered the treasurer to borrow 20,000 merks to repay him and to continue the work till Whitsunday. Also, as they owed Thomas Mudyde the total sum of 22,000 merks, borrowed at three separate times, the treasurer was to borrow and repay 2,000 merks and give

<sup>1</sup> *Gordon*, vol. i. p. 19, relates how noblemen, gentlemen, ministers and burgesses came to Edinburgh in such numbers that an insurrection was feared. Wherefore the Privy Council was to be removed from Edinburgh. On the date of the above act there was a riot in the town, which the Town Council declared themselves powerless to quell (*ibid.* p. 21-4). The Privy Council does not mention this petition till 19th December, when they were sitting at Dalkeith (*P.C.R.* vi. 553-4). It seems to have been the general petition of noblemen, barons, ministers, burgesses and commons, which they signed. There is no one petition from the burghs. The ministers were Mr Andrew Ramsay and Mr Harry Rollock, Mr Patriek Henryson was reader in the Great Kirk.

<sup>2</sup> The Privy Council met at Linlithgow on 14th November 1637 and were there still on 7th December. By the King's desire the "judicatories of the Counsell and Sessioun" were ordered to remove from Linlithgow to Stirling. The Privy Council transferred its sittings to Dalkeith on 13th December.

<sup>3</sup> So that the present place of the Merchiston monument, on the N.E. outer wall is quite incorrect.

bond for the remaining 20,000 merks. As they owed the Kirk Session 15,000 merks and as the said Kirk Session required a part of their money, the treasurer was to borrow and repay to them 5,000 merks and give bond for the remainder. The said treasurer borrowed for these purposes 15,000 merks from John Jowssie and 12,000 merks from George Suittie. Bonds are to be given to each of them and, because 6,055 merks was due to George Suittie, the treasurer is to repay him the 55 merks and give bond for the total 18,000 merks. And as there was 13,000 merks due to Mr John Skein the treasurer was ordered to borrow the said sum, which he declared he had borrowed from William Fairlie of Bruntsfield, to whom a bond is to be given.]

*27th November 1637.*

Warrandice  
James Cochran  
Johnne Smith  
& Thomas  
Patersoun. . . .

Wheras upone the auchtein day of October last at the earnest desyre and requiest of the counsall . . . James Cocheran and Johnne Smith late baillies with Thomas Patersoun deacon of the taelyeours did takupone theme the commissioun givin to theme . . . by whose paynes and continuance in the meittings that hes since past this citie has bein keiped in peace and quyetnes and in dew obedience to his Ma. and the counsall not being willing they sould incur any dainger in thair body or guids thruch thair acceptatioun of the said commissioun and proceedings conforme thairto Thairfore the said counsall obleiss theme and thair successours to warrand thair saids commissioners of all hurt or skaith they may or sall incur. . . .<sup>1</sup>

[Sir John Sinclare and James Guthrie commissioners to the Particular Convention of Burghs to be held on 28th November.]

*1st December 1637.*

[The sum lent by the Bishop of Dunblane is repaid with money borrowed as follows, 6,000 merks from Robert Doby of Stainiehill, 3,500 merks from the treasurers of Paul's Work, 5,500 merks from the Masters of the Hospital, and 2,000 merks from Alexander Aikinheid and Helen Trotter his wife.]

*13th December 1637.*

Forsameikle as the Provcist baillies and counsall upone the last of September 1636 yeires haiveing appointed Johnne Aslowan merchand to be ballast maister of all schips bottis and uther weschellis cumand in and out at the herbarie of Leith [coale bottles exceptit] upone certan provisiounes and speciall conditiones conteynit in the act of counsall maid the said day and now the said counsall haiveing thocht it more expedient that the proffeitt of the said wark sould returne to themeselffis nor be keipit in any particular mans handis, thairfore they have agried with the said Johnne for renuncing of his tak conteynit in the said act and for his cabarris and uthers things belonging to the same and the said work [and have bound themselves to pay to him 2,400 li. in two separate payments.]

<sup>1</sup> See Act of 18th October.



15th December 1637.

[The council set in tack till next Martinmas the ballasting of ships at Leith to seven merchants for the sum of 2,500 merks.]

5th January 1638.

[Mr George Gillaspie, minister at Kirkealdy, is presented to the church of Wemyss, vacant by the death of Mr Patrick Mernis.<sup>1</sup>

Mr William Colein, minister at Cramond, is presented to the vacant place of second minister of the south-west parish, vacant by the appointment of Mr James Fairlie as Bishop of Argyle.]<sup>2</sup>

19th January 1638.

[David Makcall, treasurer to the building of the church at the Tron, is to borrow 1,000 li. from Mr Harry Aikinheid, minister at North Berwick, to pay Dr. William Scott for his land there, disponed by him to the Town.]

9th February 1638.

Gives licence to James Arnote merchand to build ane drye dock for repairing of his schip upone the west syid of the reich of Leith . . . upone his owne chairges and expenssis which being built be him the counsall settis the same to the said James Arnote for the spaice of threttein yeires . . . for the yeirlie payment of ten merkis money . . . with special provisioun and conditioun that at the out rynning of the said tack the said James sall leive ane sufficient drye dock to be intrometted with be the counsall and disponit upone thairefter and he to leive the samin and remove therfra at the issew of the saids yeires and farder with provisioun that if the counsall sall think it expedient to tak the said dock into thair awin handis that it salbe lafull to the counsall within the spaice of sex moneths efter the lanching of the present schip which he hes within the said dock to appropriat the said dock to themeselfes they paying his chairges and expensis debursed be him in making thair of upone compt to be givin in be him upone his gritt oath and he haiffing this present schip frie allanerlie.

Licence to  
build ane drye  
dock.

2nd March 1638.

Forsameikle as the counsall finding themeselfes not weill served be Andro Quhytt javellour and keiper of thair wairdhouse and they intend to be better and more obedientlie served be others and considdering that the said Andro be the act of admissioun to the said office be his band and injunctiounes subscriyvit be him hes the said plaice during the counsallis will allanerlie Thairfore

<sup>1</sup> Mr Patrick Mearns was presented only in 1636 (see p. 178 *supra*).

<sup>2</sup> See 28th July 1637 (p. 191 *supra*) and 6th May 1635 (p. 162 *supra*). When Colein was appointed to the place of second minister of the N.E. parish, a charge he apparently had declined also.

ordanis ane officer to pas and chairge the said Andro to compeir upone Wedins-day nixt at ten in the cloak in the laich counsallhous before theme and to heir and sie the counsall declair thair will anent him and to heir and sie himself deprieved of the said plaice of javellour of thair said wairdhous.<sup>1</sup>

*9th March 1638.*

[The sum of 10,000 merks awarded by the Lords of Session to the heritors of the land on which the new church is to be built at the Tron, is divided amongst them.]

*16th March 1638.*

[The council set in tack to seven merchants the ballasting of boats at Leith till Martinmas next for 2,500 merks and handed over to them] the tua cabarris buildit be Johnne Aslowan last ballast maister . . . the ane of tuentie four tun and the uther of tuentie tun with the ankers, towis, yron cheinyies and furniture belonging thairto. . . .

Agrlement . . .  
tak ballasting  
and unballasting  
of all schips  
barkis and  
uther veschellis  
. . . at Leith.

[The following conditions are laid down for the ballasting of boats: the tacksmen oblige themselves to serve all the King's lieges in ballasting and unballasting of boats] and sall tak onlie of deutye for the said cabar of tuentie four tunnes the soume of ten merkis and for the uther of tuentie tun the soume of aucht merkis giff they be fullie laidnit and sua proportionallie aecording to the quantitie of ballast craivit frome theme be anie partie and as they sall mister. Item that they sall lift na ballast neir the bulwarkis on both syds bot at sight and discretioun of the watter baillie of Leith or the thesaurer of Edr. and at such plaices as thai sall think fitt. . . . Item that the saids persouns sall caus cleng the herbarie of all hirsts of chingill or sand without the same giff it be above the watter at ane law watter and what salbe under the watter they sall lend the cabarris to the said watter baillie or thesaurer or to whome thai sall appoint to ressaive the chingell or sand under the water upone the tounes chairges. Item when the guid toun watter baillie or thesaurers hes adoe to cleng the herbarie of any gritt staines that the cabarris salbe at thair command to have the use of theme for the lifting of staines out of the herbarie upone the guid tounes chairges, and giff it fall out that any of the saids cabarris gett any hurt in thair service that they salbe repaired upone the guid tonnes chairges, Item that giff the watter baillie or thesaurer sall mister any ballast that is putt out of schips for the use of the howff allanerlie it salbe leasome to theme to mak choyse of thrie or four schippis till candlemes nixt provyding they tak the same furth upone the guid tonnes chairges, Item when any maisters of small bottes or crears sall hazard to ballast thair weschellis without the herbarie that the foirmaynit persounes sall give theme leave to doe sua upone

<sup>1</sup> Andrew Qulhytt seems to have been reinstated, for subsequently he was dismissed for expressing a favourable opinion of the Marquis of Montrose, after that nobleman's defeat at Philiphaugh.

sume easie conditioun as they can agrie at the sicht of the watter baillie or thesaurer or for half pryce at most and that all coale bottes be frie to ballast without the harbarie upone thair awin perrill without any payment, Item the saids persouns sall bring the saids cabarris only to the syid of any schip bark or boatt and the cumpanie of the saids weschelles taikin or putt out the said ballast, Item giff any complent aryse betwixt the saids persounes or thair servandis or deputtes and any of the skippers and uthers of his Ma. liedges anent the said ballasting and unballasting in that caice the saids persounes sall and does submitt themeselfis to the Proveist baillies and counsall and baillies of Leith, and last the saids persounes bindis and obleis theme conjunctlie and severallie as said is to redeliver the saids cabarris ankers, towes yron cheingyies and haille furniture belonging therto bak againe . . . at the said terme of Mertymes nixt in als guid estaitt and conditioun as they ressavit the same at the sicht of the thesaurer.

*23rd March 1638.*

[The widow of Thomas Mertein left 100 merks towards the building of the Parliament House and 100 merks for the poor of the hospital.]

*24th March 1638.*

[The council,<sup>1</sup> deacons and thirty-one neighbours ratify the proceedings of their commissioners, appointed on 10th October last who reported] how they in their names had joynit with the . . . borrowis and as ane pairt of theme had concurrut with the Nobilitie gentrie and ministrie in their proceedings in supplicatting of his Ma. and lordis of counsall anent the novatiounes laitlie introduced into the church contrare to the standing of the lawis of this kingdome and in protesting at all occasiounes neidfull, and in doeing such other thinges as nicht conduce in ane legall way for furtherance of the saids supplicatiounes and in speciall in renewing ane covenant with God Almichtie to his Glorie, and honour of the Kings Maiestie thair dread soverayne; and wealfair of this Ancient kingdome; and for the peace of all his loyall subjects. . . .<sup>2</sup>

Ratificatioun  
anent the  
proceedings of  
. . . their com-  
missioners in  
concurrut with  
the Nobilitie  
Gentrie  
borrowes and  
ministrie.

*30th March 1638.*

Grantis testimoniall to Johnne Paulitious of ane procuratoric to be maid be him for persewing of anc Sigismundus Ferdinandus of Lesnich in Pole for certan soumes of moncy addebtet be him to the said Johnne. . . .

Testimoniall  
Johnne  
Paulitious.

*13th April 1638.*

[Mr John Langlands, student, is admitted a doctor of the High School in place of Mr John Bowie, who has left it.]

<sup>1</sup> The Lord Provost was not present. See 10th October 1637 and note.

<sup>2</sup> The signing of the National Covenant began in March. See *Gordon*, vol. i. pp. 43-7; *Balfour*, vol. ii. pp. 252-61.

20th *April* 1638.

Act  
Griersoun  
factor at  
Campheir. . . .

Compeired Robert Griersone factor in Campheir and declared that for obedience of the missive letter direct to him be thame in the moneth of Januarij last conforme to the sevint act of the last particular conventioun haldin at this burgh the second of December last and for obedience of the saids commissioners thair determinatioun conteynit in the said act he had repairit to this cuntrey and for his not observing of the tyme prescryvit in the said missive produced ane testificat fra Maister Patrik Drummond conservatour declairing his reddines for keiping of the said tyme and that he was impedit be contrarie windes, which the counsall admittis for excuse, and ordanis the said Robert . . . to find cautioun of new conforme to the use observit be the factors at the said staple port of Campheir . . . [James Campbell and Thomas Armstrong, merchants and burgesses became caution for his keeping all the rules of his office.]

[A committee is appointed to discuss with the masters of work what money is necessary for the completion of the Parliament House, and to report.

A list of the books bought for the College Library with the legacy of Sir Henry Wardlaw is to be added to the catalogue. These are twenty-two in number.]

27th *April* 1638.

Declaratioun  
Griersone  
factor in  
Campheir.

Compeired Robert Griersone factor in Campheir and declared that he had nevir nather be himselff nor his servands nor freinds coft any scottis waires bot to the use of the merchands who hes imployed him nor was no pertiner with Flymings nor others thair anent come and had nevir maid rebaittis of any of his merchandis billis bot with ther oun consent, and that he is pertiner of no schips except one whairof he sall mak saile schortlie and thairfore humblie desyred the counsall to accept of his declaratioun and to report the same to the commissioners of the borrowis to be conveynit in Julij nixt at Stirling and to frie him of his new citatioun to the said conventioun in respect of his obedience and willingness to fulfill all the iniunctiounes sett down be the saids borrowis promiseissing that if the saids commissioners sall not accept of this declaratioun that he sall renew the same whensoever they salbe pleased ather before the conservator thair or uther wayes when he salbe requyred wherwith the commissioners being advysed hes thocht guid to recommend the premises to thair commissioners to be chosen to the said nixt conventioun and to interceid with theme for dispensing with the said Robert his absence at the said conventioun.

[The accounts of Sir John Sinclair, dean of gild, for the three years of his office are heard and passed. For the first year he is overspent in the sum of 1,656 li. 1 s. 8 d. ; for the second year he is overspent in 404 li. 16 s. 2 d. additional, and for the third year in 723 li. 19 s. 2d., over and above the former two sums.]



4th May 1638.

Foresameikle as the Proveist baillies and counsall haiveing upone the fyft of Januarij; last . . . presentit Mr Williame Colein minister of Crawmond to the vacand plaice of the ministrie of the south west parochin of this burgh conforme to ane act of counsall of the daitt foresaid and haeving delt divers tymes with the said Maister Williame and [not] finding him willing to undergoe the said chaarge and not being willing the said plaice sould remayne any longer vacand thairfore the counsall presentlie conveynit have dischaarged . . . the said presentatioun grantit in favoures of the said Mr Williame and als understanding the literature and qualificatioun of Maister Alexander Hendersoun present minister at the kirk of Luchers in Fyiff to supplie the said plaice hes elected . . . out of the lyittes presentlie maid the said Mr Alexander Hendersoun to the said vacand plaice of the ministrie of the said parochie and stipend appointed thairto and ordanis ane presentatioun to be exped to him theranent . . . and ordanis ane letter to be direct in thair names for intreating him to accept upone him the said chaarge. . . .<sup>1</sup>

Dischaarge  
presentatioun  
. . . to Mr Wm.  
Colein . . . of the  
S. west  
parochin  
Electio Mr  
Alexr.  
Henrysonn. . . .

9th May 1638.

[The council agree that 25,000 merks be borrowed for the work of the Parliament House.]

25th May 1638.

Ordanis James Roucheid thesaurer to pay to Johnne Smyth commissioner the soume of fyve hundreth fourscore sex pundis four schillings aucht pennyes debursed be him in tnair meittings with the rest of the borrowis and in his goeing to Fyiff commissioner for Mr Alexander Henrysoun minister at Luchers and for my lord Chancellors hous maill. . . .<sup>2</sup>

2nd June 1638.

[Elections of captains and ensigns for the Town's companies.]<sup>3</sup>

13th June 1638.

Ordanis ane new commissioun to be exped to James Cochrane Johnne Smith and Thomas Patersoun anent the maters concerning the churche of this kingdome . . . whairof the tennor followis: We the baillies counsall and communitie of the burgh of Edinburgh be thir presentis mak and constitut James Cochrane, Johnne Smith, and Thomas Patersoun coniunctlie and severallieoure commissioners to attend at Edinburgh or whatsumevir uther

New Commis-  
sioun . . . anent  
the service  
buiks, buik of  
cannounes and  
hie commissioun  
. . .

<sup>1</sup> See 5th January (p. 199 *supra*) for appointment, and note. For difficulty in obtaining permission to call Mr Alexander Henderson, see Appendix xv. 5.

<sup>2</sup> See 26th June 1635 (p. 163 *supra*).

<sup>3</sup> The Provost not present at this meeting, or till 20th June, when he attended a council meeting.

plaice or plaices salbe fund expedient for the tyme for ressaiving such farder answer or answeris that sall cum frome his Ma. the lords of privie counsall, or any utheris his Ma. commissioneris of oure former supplicationes and complaints against the service buiks, buik of cannounes, Hie commissioun and other innovatiounes and greivances particularlie expressed and generallie conteynit in oure said former supplicationes, and the prelattis or pairties as authors and contryvers thair of, And to give in new remonstrances and present new greivances and petitiones to his Ma. conforme to the late Covenant suorne and subscrivit be us and to treatt consult and resolve upone sic overtures and expedientes as may conduce for furthering the contents of the said supplicationes and covenant and for eschewing any thing preiudiciall to the samin and to concur be all lafull meanes, with the commissioneris of the nobilitie, barrounes, ministers and remanent borrowis in all courses fund be commoun consent to conduce for sic good ends promitting faithfullie that what oure saids commissioners coniunctlie and severallie sall richteouslie doe anent the premissis to hold firme and stabil obleissing us to abyd at fulfill and undulye the same but appellatioun reclamatioun or againe calling whatsumevir.

15th June 1638.

Old housses  
foregainst  
the colledge.

Forsameikle as the counsall finding the old housses foregainst the colledge to have becum altogether ruinous and unseamlie to behold in such ane eminent plaice and for uther good causes mooving theme thairfore they have ordaynit . . . the thesaurer to inclose the same with ane wall leiving ane porche for ane entrie. . . .

20th June 1638.

[William Dick and James Guthrie commissioners to the Convention of Burghs.]

22nd June 1638.

Armorie.

Apointes to visit the armorie deyne of gild Archibald Tod Chairles Hamiltoun Johnne Moresoun Thomas Quhytt and Johnne Scott, and to separat the muskettis according to thair bore and to report to the counsall.<sup>1</sup>

29th June 1638.

Report  
visitors of the  
airmour hous.

Forsameikle as the armorie of this burgh being visited be these appointed this day aucht dayes be report of the saids visitours Thair is fund into the said armorie hous the number of tua hundreth double muskettis, of halff muskettis ane hundreth four score ten, of hagbuttes thriescore sex of muskett restis four hundreth and tuentie of Bandeliers four hundieth fourtie thrie, of picks

<sup>1</sup> The Provost was not present after this date till the close of his year of office. The armoury was provided in 1627 (p. 37 *supra*).

tua hundreth and sevin of corslettis and head peaces tua hundreth and nyntein of lunt tuo bundellis, for the better keiping whairof in tyme cuming the counsall ordanis the deyne of gild and his successours . . . to be ansuerabill for the foresaid number and for what salbe givin in heirefter and to the effect the nomber which sall cum in heirefter may be knowen and that non but sufficient airmour may be heirefter ressavit ordanis the said deyne of gild to sie the register of the said airmorie keiped and followed as the same was of before and to ressaive non bot such as are sufficient and serviceabill armour unto the said hous heirefter. . . .

*4th July 1638.*

[Andrew Littiljohnne, servant to the Marquess of Hamilton, His Majesty's Commissioner,<sup>1</sup> and George Douglas, servant to the Earl of Haddington, are to be received burgesses and gildbrethren gratis. Also Antony Massoun and John Rae, Englishmen, and James Pain, servant to the Marquess, George Wauch, servant to the Earl, Andrew Hanschaw and David Broun, servants to the Lord Justice Clerk, are to be received burgesses and gildbrethren and John Kilgour, servant to the Marquess, burgess.]

Forsameikle as it hes bein divers tymes complenit upone be the deacone and brethrein of the chirurgianes that Johnne Savadge Irischeuman hes bein prohibite be the counsall to use any of the airt of chirurgie within this burgh and liberties therof yit obstinatlie daylie uses the same to the preiudice of the said brethrein whairfore the counsall ordaynis thair officers whairsoevir he can be apprehendit to putt him in waired thair to remayne till he be actit for desisting fra the said airt within this burgh. . . .

Act to putt  
Johnne  
Savage  
unfrie  
chirurgiane  
in waired.

*18th July 1638.*

Ordanis James Roucheid thesaurer to buy ane thousand wecht of powder with fyve hundreth wecht of Matche and to be putt above the gritt churche for the use of the guid toun as they sall have occasioun to imploy the same. . . .

Precept for  
buying of  
puder and  
matche.

Ordanis the deyne of gild to caus dicht the whole airmour pertaining to the good toun lying in thair magasin and to keip the same alwayis readie. . . .

Precept  
airmour.

*27th July 1638.*

Understanding that the ministers of this burgh hes not bein payit of thair stipends at Alhallowmes last in respect the dewtyes appointed to that effect hes not bein as yitt gottin in be thair collectours and not being willing that they sould altogether be destitut of thair said stipend thairfore ordanis the thesaurer of the kirk counsall to pay to Maisters Andro Ramsay, Hendrie Rollok doctor James Hanna Alexander Thomesoun and David Mitchell to ilk ane of theme the sowme of fyve hundreth pundis and to doctor Eliott and

<sup>1</sup> See *Gordon*, vol. i. pp. 59-60, 63 and onwards ; *Balfour*, ii. 264-86.

Maister David Fletcher ilk ane of theme sex hundreth merkis and that in pairt of payment . . . and becaus the kirk thesaurer hes not moneyis for payment thair of thairfore ordanis the thesaurer James Roucheid to borrow the sowme of four thousand nyne hundreth and fyftie merks upone proffieitt . . . and ordanis the said thesaurer to delyver the same to Stephau Boyd kirk thesaurer to be givin out in maner foresaid . . . and becaus the said thesaurer James Roucheid hes alreadie advanced to the said kirk thesaurer the sowme of nyne thowsand and thrie hundreth merks . . . for payment of the saids ministers stipends and considdering that the commoun guid aucht not to be burdenit therwith and with all understanding that thair is addebted to the kirk thesaurer the soume of ellevin thowsand merks be the Erle of Weymis and the soume of sex thowsand merks be the laird of Hemsfield and his cautioners, thairfore ordanis ane assignatioun to be maid be the said kirk thesaurer in forme as effeirs to the said . . . toun thesaurer of the saids tuo soumes and what salbe superplus at mertymes nixt ordanis the said James Roucheid to give in the said superplus to the said Stephan Boyd.

*15th August 1638.*

Compeired Williame Dick commissioner for this burgh at the last generall conventioun haldin at the burgh of Stirling and declaired that he haiveing spoken with the commissioners of Perth ament the complaint givin in be certan of thair nichtboures against the said burgh of Perth for exacting of certan new impositiounes, the saids commissioners gaive him ane hand oblessing thair burgh to exact no more of thair nichtboures nor use and wount. . . .

*17th August 1638.*

[Agreement with David Clerk, gunsmith] for dighting of the haill armorie and had apointed for ane armour hous the west most laich hous under the jame<sup>1</sup> of the parliament house quherof the counsall allowis and ordanis ther whole armour to be removed to that plaice. . . .

*23rd August 1638.*

Ordanis the clerk to wryte to the minister of Campheir for causing the kirk sessioun to delyver to Robert Glen merehand burges of Edinburgh the soume of sex hundreth threttie guidlings ten stuires fleymis money givin be the Eist India Cumpanie to the said kirk sessioun left in legacie be umquhill Richard Purdie to Agnes Naiper his spous and bir tuo childrein as also to delyver to theme the interest of the said soume giff any be . . .

<sup>1</sup> Jamieson's Dictionary gives the word jam, jamb or jambo as "a projection or wing," Chamber's gives the word as "a projection, buttress or wing of a building." The position of the new armoury may be seen in Gordon of Rothiemay's map, which shows the two doors in the wing of the Parliament House, the most westerly of which led to the room so allotted.



24th August 1638.

Wheras the counsall being informit of Maister Robert Rankein and Maister Johnne Broun Regents in King James his colledge of the hard opinioun intertayned of theme be the maist pairt of this kingdome quhairby the colledge is liklie to suffer hurt and prejudice in thair defalt thairfore ordanis ane letter to be direct to Maister Robert Rankein quhairevir he can be fund and to require him to be present at the counsall the fyft of September nixt to answer heir-anent and to heir and sie the counsall declair thair will anent him as also to direct ane uther letter to the said Maister Johnne for the same effect. . . .<sup>1</sup>

29th August 1638.

Forsameikle as Robert Glen merchand being conveynit for his unreverend cariadge towards the baillies of Leith which was cleirlie understood be the counsall Thairfore ordanis him to pas to waird till he satisfie the saids baillies as also unla wis him in the soume of ten dollors and to remayne in waird till the same be payed.

Anent the citatioun maid to Mr Johnne Broun for ansuering conforme to the act maid the last day compeired the said Mr Johnne and for causis mooving theme the counsall continewis till Fryday nixt.

5th September 1638.

[The baillies, council, all the deacons and Mr Andrew Ramsay, Mr Henry Rollok, Mr David Mitchell, Dr. James Eliott and Mr David Fletcher, ministers met in council] Forsameikle as Mr Johnne Broun ane of the regents of King James his colledge . . . being present and the counsall fearing the hurt the said colledge is to sustein if he sould continew in that plaice and liklie to be deserted be the scollers as hes being maid knowen to theme And the said Mr Johnne being admittit to the said plaice during the counsallis will allanerlie in consideratioun quherof the counsall and pairt of the ministers foresaid hes depryvit and depryves the said Mr Johnne of his plaice within the said colledge and declairs thair will to be that the said Mr Johnne continew no longer in the said plaice which sentence being intimat to the said Mr Johnne he protested that the samyn sould be no imputatioun of anye aspersioun givin out against him as also protestit for remeid of law. . . .<sup>1</sup>

Deprivatio  
Mr Johnne  
Broun  
Regent.

Forsameikle as . . . Maister Robert Rankeine . . . had gottin advertisement frome the counsall for compeirance this day to heir thair will declaired

Deprivatio  
Mr Robert  
Rankeine  
regent.

<sup>1</sup> Mr Robert Rankin was appointed in 1625 when Mr James Fairlie became minister at North Leith (*Extracts, 1604-1626*, p. 287). Mr John Brown was appointed a regent of philosophy in 1626 (p. 17 *supra*). These men were expelled because of their refusal to sign the National Covenant (*Gordon*, vol. i. p. 52). The writer adds that they "wer persecuted so as they were forced to flee out of the Kyngdome for a tyme." *Crawford* (p. 133) states that the masters of the College were "very forward" to sign, save only these two, wao "obstinately refused."

anent him which was doone upone sum just feares they had that his scollers or few of theme wer to returne to him againe, and so thair colledge liekly to be deserted in his defalt and considdering that the said Mr Robert in his admissioun to the said plaice is onlie during thair will allanerlie thairfore and for prevening of the foresaid hurt and prejudice they have thoecht guid to dischaarge and depryve the said Mr Robert of the said plaice of ane regent . . . and be thir presentis dischaarges and depryves him of the samin and declaires thair will that he continew no longer in the said charge bot that the samin be served be some other and ordanis intimatioun of this thair will to be maid to the said Mr Robert theranent.

*12th September 1638.*

Statut . . .  
wobsters of  
Leith. . . .

Foresameikle as it hes been schewen to the counsall that the brethrein of the wobsters within the toun of Leith ar becom poore and depauperat be the ineres of uthers who daylie resorts to the said toun, who not onlie without aeknowledging of thair superiours, takis up that tred at ther ane hand bot also being unskilfull does abuse and spoyle the stufes committed to thair trust to the gritt detriment of the haille inhabitants of the said toun quherby the saids inhabitants does carye thair stufes to be wroecht without the said toun and the counsall considdering that it is in policie requisite that they sould first provyid for thair ounie that they under theme may honestlie leive by thair owne laubours and not to suffer theme for laieke of ordour to becum burdenabill ather to ehurche or civill magistratt; thairfore they have statut . . . that non heirefter presume to tak upone theme the said traid of wiving within the said toun without the aeknowledgement of thair superiour, and before they salbe lauffullie tryed and admittit to the said calling be such as the counsall sall appoint under the payne of tuentie pundis and for the sustentatioun and guid of the people and brethrein exerceing the said tred within the said toun dischaarges and strictlie inhibeittes the whole inhabitants within the said toun of Leith frome transporting of any yairne or uther stuff to be wroecht outwith the said toun. . . .

[The deacon and Masters of the Edinburgh weavers are appointed inspectors of the weavers of Leith, with power to appoint deputies annually.]

*26th September 1638.*

Ordinance . . .  
programme . . .  
inveitting all  
scollers to  
dispute. . . .

Foresameikle as thair being be deprivioun of Maister Robert Rankeine and Maister Johnne Broun tuo plaices of the regents of Philosophie vacand in thair colledge and the counsall being willing to provyid for the same in tyme thairfore they have apointed and appointes the fyftein of October nixt for ane publiet tryell to be givin be such as sall offer in the saids plaices to serve and to this effect ordaine ane programme to be printed inveitting all scollers who

sall pleis to come to the colledge the said day at ten in the clock in the morning and according as salbe designit to theme to give tryell of thair qualificatioun out of which number thair salbe ane chosen who salbe fund most habill and qualified for serving of the saids vacand plaices and ordanis the saids programes to be affixed in the publiet plaices of this burgh and lyikwayes in the Universities of Sanctandroes and Glasgow and last ordanis the ministers to be wairnit to the said day and in the meane tyme at the dounsitting of the colledge recommends the supplying of the saids vacand plaices to the principall Mr Johnne Adamesoun being present.<sup>1</sup>

3rd October 1638.

[Council for 1638-39: *Provost*, William Dick of Braid; *Bailies*, Thomas Chairteres, Edward Edgar, Robert Achesoun, Johnne Kniblo; *Dean of Gild*, James Cochrane; *Treasurer*, Johnne Fleyming; *Council*, Sir John Sincler of Stevenstoun, knight baronet, Williame Gray, Robert Fleyming, William Wilkie, John Trotter, John Smith, James Roucheid, John Inglis, Laurence Henrysoun, Archibald Syidserff, Thomas Quhytt, hammerman, Thomas Patersoun, tailor; *Deacons of Council*, Richard Maxwell, saddler, Robert Miklejohnne, skinner, David Douglas, surgeon, John Scott, goldsmith, Gilbert Somervell, tailor, Patrik Aitkin, cordiner; *Extraordinary Deacons*, James Pargilleis, furrier, Andrew Dalrumple, wright, Alexander Nisbett, mason, Adam Stevin, baker, John Butcher, flesher, Archibald Wricht, weaver, Daniel Robertsoun, waulker, David Wyllie, bonnetmaker.]

[Bailies of Leith, Charles Hamiltoun and John Bynnie; Water bailie, Charles Hamiltoun.]

4th October 1638.

[The dean of gild reported that the Town's evidents were now all in two cabinets in the charter house.]

13th October 1638.

[The Council with the elders and deacons of the four Kirk sessions] hes elected . . . and be thir presentis electis . . . James Cochrane deyne of gild and Thomas Patersoun taelceour commissioners for theme to the general assemblie appointed be his Ma. to be haldin at the burgh of Glasgow the tuentie ane day of November nixt with continuatioun of dayes with full powar and commissioun . . . to treat reassone voite and conclud in all maters salbe proponit at the said Conventioun. . . .<sup>2</sup>

Commissioners  
to the generall  
assemblie to be  
haldin at  
Glasgow.

<sup>1</sup> *Crawford*, p. 133. There were four candidates for the two vacant professorships, Mr James Wiseman, Mr Duncan Forrester, Mr Patrick Colville and Mr Robert Young. Their examination was conducted by the Principal and two remaining regents, the two ministers, Mr Andrew Ramsay and Mr Harry Rollock and the Master of the High School. Wiseman, formerly regent of humanity, was elected regent of philosophy, and another candidate, Mr James Wright, regent in St. Andrews was appointed to the other vacancy.

<sup>2</sup> See Appendix xv.

*15th October 1638.*

[Mr John Adamesoun, principal of the College, is elected commissioner for the said College to the General Assembly.]

*26th October 1638.*

[Bread, 12 d. loaf of best quality, 14 oz. ; 12 d. loaf of "sour" bread, 1 lb. 2 oz. 10 dr. ; 12 d. loaf of best rye, 1 lb. 7 oz. 4 drop.

Ale, 12 d. the pint ; beer, 16 d. the pint.

Mr James Wricht in St. Andrews, elected regent].

*9th November 1638.*

[The provost, baillies, treasurer, three merchants and two craftsmen of the council are elected] to confer with the commissioners appointed to the generall assemblee.

*10th November 1638.*

[Mr James Wyseman, professor of humanity, is elected regent of philosophy in place of Mr Robert Rankeine].<sup>1</sup>

*14th November 1638.*

[Commissioners are appointed for the election of a new regent of humanity.]

Ordanis the late thesaurer . . . to pay to Williame Aittoun for the dyell upone the Colledge the soume of thrie score auchtein pundis vj s. four pennyes and also to agrie and pay the paynter for his paines and coulours. . . .

Ordanis the late thesaurer . . . to pay to the warkmen who dressed the armour the soume of ane hundreth fyftein pundis 15s. as also to content the wricht for making the frames. . . .

*16th November 1638.*

[The council ordered that the sum of 10,000 li. be borrowed to pay the King's tax. The treasurer reported that he had borrowed for that purpose 10,000 merks from Sir James Makgill of Crichton Riddell.

Mr Robert Young, son of Mr Andrew Young, minister at Abercorn, is presented to the vacant post of regent of humanity.<sup>2</sup>

. . . Advocat to  
assist . . . the  
commissioners  
at the Generall  
Assembly

The council having appointed commissioners to the General Assembly] and considering that it is expedient that in maters of difficultie requyring advyse and deliberatioun that thair may be some apointit theme whome they may consult Thairfore the counsall hes appointit . . . Maister Alexander Persoun advocat to concure and assist with thair commissioners and to give his best advyse in all maters sall ocure in the said conventioun.

<sup>1</sup> See 26th September and note.

<sup>2</sup> *Crawford*, p. 134. The candidates were Mr Robert Fairlie, son of an Edinburgh burgess and Mr Robert Young. Of the former Crawford writes that no one doubted but that Fairlie would have been elected, "but it pleased the Lord so far to desert him at that time that no man did voice for him."



21st November 1638.

Ordanis the thesaurer of the Kirk counsall . . . to give to Maister Thomas Lamb and Maister Thomas Gilbert for the service doone and to be doone in preaching during this tyme off vacancy of sum plaices of thair Churches to eache of theme the soume of fiftie dollors. . . .

Precept . . .  
Lamb  
Gilbert.  
preachers.

30th November 1638.

[The treasurer has borrowed 10,000 merks from John Inglis, merchant and 12,000 merks from the treasurer of Heriot's Hospital to pay the remainder of the King's tax and the building of the Parliament House.]

19th December 1638.

Compeired Mr David Fletscheour ane of the ministers of the south eist parochin . . . and declaired he had in his custodie the tuo silver coupes both of overgilt . . . givin be George Foulis to the use of the said parochin and delyverit the saidis coupis to the said George, likeas the said George delyverit the same to the counsall to the use of the church of the said parochin. . . .<sup>1</sup>

Silver coupes.

29th December 1638.

Whereas the counsall considering that formerlie both by dyvers actis of parliament and particular statutis of this burgh in militarie busines cours hes bein ordeanit to be takin for traneing upe of the neichtbouris of this burgh in militarie discipline to inable tham not only for the defens of the countrey if neid sould requyre bot also for serving his Matie in his priucleie commandis and withall considering that throw the long intercoures of tyme and desuetud of thos meanes formerlie used for thair instructioun, the people hes become altogether unexpert Thairfoir they haive thocht good and ordanit the nichtbouris underwrittin viz Robert Achesoune baillie, Sir Alexr. Clerk, Sir Johnne Sinclair [eleven merchants and five craftsmen] to meitt and conveyne at such ocasioness as the exigence of effairis sall requyre and to consult and deliberat upone the best meanes quherby the inhabitantis may be traynit up in the said disciplin of wear And to tak cours for provisioun of all such necessaris as may tend to the said end and quhat salbe concludit be thame ordeanes the same to be putt in executioun be the magistratis with all expeditioun. . . .<sup>2</sup>

Ordinance . . .  
trayning up of  
the nichtbouris  
in militarie  
discipline.

2nd January 1639.

Electis Johnne Hog in the Coatis to be ane multer maister in the commounne mylnes in place of Thomas Kennowie fugitive. . . .

Multrour  
maister.

<sup>1</sup> This cup is noted in Burns, *Old Scottish Communion Plate*, pp. 347-S. It bears the inscription: "Gifted to God and his Church by George Fowlis, younger, to the South East Parish of Edinr. 1633. Renewed by the Town Council of Edinburgh 1756." The writer surmises that the shape of the bowl was altered. The cup now belongs to the Kirk of the Tron, anciently church of that parish.

<sup>2</sup> The Town had a drillmaster who was dismissed in 1633 (p. 131 *supra*).

Electis Mr  
Alexr. Henry-  
sounne to ane of  
the vacand  
plaices of the  
gritt church.

The counsell haiveing diverse tymes of befoir aymed to haive had Mr Alexr. Henrysoun presentlie minister at Leucheris in Fyif transplanted to the cuir of ane church within this burgh<sup>1</sup> and the commissioners of the last generall assemblie haldin at Glesgow in thair tuentie fourt sessiounne the auchteint of December last haiveing not onlie thocht it necessar to transplant him to the church of Edinburgh but also did be vertew of ane act of the dait foresaid transplant the said Mr Alexr. fra the church of Leucheris to the said church of Edr. . . . In consideratiounne of all wich the . . . proveist baillies and counsell findeing both the places of the church of this brugh to be vacand be deprivationne of Mr James Hanna and Mr Alexander Thom-sounne as ane act of thair deprivationne . . . daittit the first of this instant at mair lenth beiris and understanding of the literatour habilitie and qualificatiounne of the said Mr Alexander all in ane voyce . . . be thir presentis electis . . . and presentis the said Mr Alexander to ane of the said vacand places of the said great church . . . earnestlie intreating the ministrie of the presbetarie of Edr. to admit the said Maister Alexander Henrysounne to the said place and to tak cours for his transplantatiounne presentlie. . . .

*4th January 1639.*

[A further inventory of the writs in the charter house is to be made. A book is to be provided for entering the names of those who take out writs.]

*11th January 1639.*

[Mr William Scott, one of the ordinary clerks of Session, presented a legacy by his father, the late Laurence Scott, of 500 merks for the building of the churches.]

For building the  
parpall wall of  
the church.

The counsell finding throw the present scarcitie of churches within this brugh maney people both inhabitants and utheris resorteing to this brugh ar frustrat of divyne exercis upone the ordinar sabboth dayes to thair great greif and scandall of religione and finding that for the present use ane great pairt of the great church is standing wast which micht suplie the present necessitie Thairfoir they haive thocht guid and expedient that ane new parpall wall be built within the said church quherby ane sufficient rounne may be provydit with all dilligence . . . and as for the place and maner the counsell will tak the same to ther farder consideratiounne.

[Mr Thomas Lamb, minister, is presented to the vacant church of Kirkurde, in the place of the late Mr John Bennett.]

*14th January 1639.*

[Mr William Colein, minister at Cramond and Mr William Bennett, minister at Monymaill, according to an act of the committee appointed by the General Assembly, are transplanted to this burgh.]<sup>2</sup>

<sup>1</sup> See 4th May 1638 (p. 203 *supra*) and Appendix xv.

<sup>2</sup> The latter appears to have accepted the charge.

16th January 1639.

[The neighbours are to be extented for the sum of 40,000 merks according to the act of 27th January 1634, with 1,000 merks for the expenses of collection.]

26th January 1639.

[The council and deacons with several of the neighbours] bein all convenit in counsell Forsameikle as the counsell finding the necessitie of building of the wall in the greatt Kirk . . . and had referrit the designatioune of the place and maner therof to thair farder deliberatioune which being now impairtit to ane great pairt of the honest neighbours . . . they haive all in ane voyce agriet . . . that the said wall salbe built with all dilligence and that therby salbe inclosit that haill eist pairt of the churche wich formerlie includit the haill queyr quherby ane commodious and beutifull churche salbe gayned to be designed be the counsell for such ane pairt of the toune as they salbe pleasit to appoynt. . . .

For building of  
the wall in the  
mid Kirk

1st February 1639.

Appointes the thesaurer to buy for the tounes use particularie threttein hundreth wecht of powder aucht hundreth pund wecht of match and of leid tua thousand pund wecht . . . and sicklyk gives commissioun to the thesaurer to agrie with sune honest neighbours for provydeing of tua thousand wecht of powder tuelff hundreth wecht of lunt and tua thousand wecht of leid for ballis . . .

Precept . . .  
powder &  
Matche.

6th February 1639.

[The bailies' accounts of the fines show them to be overspent in the sum of 753 li. 9 s.

Their accounts of the extent show a balance due to the town of 1,474 li. 4 s. 10 d.]

20th February 1639.

[Thomas Patersoune is presented as the new deacon of the masons.]

Anent the complent givin in be Williame Sympsoune merchand present Kirk thesaurer . . . Makand mentione that quher upone the thrid day of July im vjc threttie sex yeires thair wes act and ordinance thair maid be the proveist baillies and counsell with advyse of these sessioneris in place for the tyme comandeing . . . Williame Muir than Kirk thesaurer to ansuer and delyver to Alexr Broune elder mercheand the soume of ane thousand merkis money to haive bein usit and imployett be the said Alexr for the ransome libertie and releiff of Johne Broun mariner in Leyth quha wes than prisoner and captive at Salie by the Turkes Quhilk soume immediatlie wes delyverit . . . to the said Alexr Broune in the behalff . . . foirsaid And albeit it be of veritie that

[Ransom  
captive by  
Turks.]

the said Johne Broune was releived by his Maties schipis and that no ransome wes peyit for him sua that the said soume wes never imployet yitt the said Alexr. most wrangouslie refusit to redelyver the said soume to the . . . present Kirk thesaurer of this burgh with the annualrent therof to the effect the same may be preserved or distribut *ad pios usus* without he be compellit. . . . And the saids proveist baillies and counsell haiveing considderit certaine expenssis debursit be the said Alexr Broune defendar to the use of the said Johne Broune at his returne to Lundoune againe . . . [order him to repay to the kirk treasurer 405 merks in complete payment of the money due by him.]

[John Smith and Richard Maxwell commissioners to the convention of burghs to be held in the town on 20th instant.]

27th February 1639.

[Presentation of Mr Samuel Rutherford, minister at Anwoth, to one of the charges of the town.]<sup>1</sup>

7th March 1639.

[Bonds to the  
Provost for  
money lent to  
the Estates.]

Forsameikle as ane great part of the nobilitie gentrie and commissioners of borrowis of this Kingdome haiveing for the saiftie of the Kingdome borrowit frome Williame Dick of Braid proveist the soume of tua hundreth thousand merkis to be payit at Witsonday nixt <sup>2</sup> . . . and the counsell haiveing apointed Johne Smith merchand and Richard Maxwell deacone of the hammermen commissioners for theme to the conventioun of borrowis laitlie appointed at this burgh as also being willing to conveyne with the rest of the borrowis and to participat with theme in all things concerning this Kingdome Thairfore they have ordaynit . . . ther saids commissioners for theme and in ther names to subscribe the saids tuo bands and obleissis theme and thair successours to relieve ther saids commissioners of all hurt or damage they or any of theme . . . sall or may incur thruch subscriyving the same.

13th March 1639.

Promels  
concurs  
advocattes  
clerks  
writters. . . .

Forsameikle as upone consideratioun of the troubles and exigence of the tyme the advocattis clerkis wrytters and remanent members of the colledge of justice are voluntarie content to concur with the Toun of Edr for the commoun

<sup>1</sup> Formerly a regent in the College (*Extracts 1604-1626*, p. 296). The Town Council were precipitate in announcing Rutherford's presentation, for at the same time he was called to the chair of theology in St. Andrews and accepted.

<sup>2</sup> King Charles had begun to take steps for the invasion of Scotland. On 26th January his letters had been sent out commanding the English nobility to meet him at York in the beginning of April. The borrowing of money and the equipment of Edinburgh for defence were part of the Scottish preparations to resist him. The "great part of the nobility, etc.," were probably the "Tables," representatives of the nobility, gentry, burghs and ministers constituted by themselves in 1638. They had set themselves the task of collecting voluntary contributions for defence.



defence and preservatioun of the religioun and liberties of the Kingdome Thairfore the proveist baillies counsell and communitie of Edinburgh acknowledges and declaires that this thair voluntarie concurs salbe without preiudice of the liberties and priviledges of the said Colledge of justice and declaires that the soumes of money collectit or to be collectit be theme in this commoun busines sall nowayes be debursed nor expendit without advyse or consent of such as ar nominat be theme to sitt in the generall committe apointed for that busines who sall have ane negative voitt therintill anent the dispositioun of the saids moneyis.

Finding that ther is ane gritt number of the craftis of this burgh of habil and fensible persounes who ar destitut of airmes Thairfore for ther help ordanis the deyne of gild to deliver to Richard Maxwell deacone of the hammermen the number of fouscoir muskettis with muskett rests and bandeliers effeirand thairto and fourtie picks to be lent to the saids persounes. . . .

Precept . . .  
airmour  
craftis  
youthis.

[Five thousand merks is to be borrowed for completing the work on the Parliament House.]

15th March 1639.

Ordanis the deane of gild to deliver to Patrik Baxter, merchand, out of the Tounes magazin the number of ane hundreth muskettis with the muskett restis and bandeliers effeirand thairto with the number of fyftie picks and to give out the same to such persounes as salbe brocht to dreale besyid Heriottes hospital and to ressave the same bak againe . . . that when they salbe dreilled the saids muskettis and picks with thair pertivents may be redelyverit to the said deane of gild to be imputt againe into the said magazin. . . .

Precept . . .  
Muskettis,  
rests and  
picks . . .  
dreilling.

Forsameikle as it hes bein thocht guid and expedient that ane generall musters salbe maid and in consideratioun that the inhabitants of this burgh hes bein in desuetud thair of thir tuo yeires bygone whairfore ordanis ane proclamatioun to be maid thruch this burgh be touck of drum commanding all the inhabitants of this burgh to be in reddines at the Touck of the drum to attend thair cullours in the Grayfrier Kirkyard in thair best apparell and airmour upone Tysday the 26 of this instant at aucht houres in the morning and frome thence to accompanie the Magistrattis thruch this burgh and none to depairt frome thair cullours befor they be dismissed under the payne of tuentie pundis unforgivin.<sup>1</sup>

Proclamatioun  
generall  
musters.

<sup>1</sup> *Gordon*, vol. ii., p. 209. The castle of Edinburgh was taken by the Covenanters on a date between 19th and 23rd March. The historian narrates that General Leslie caused the muster masters of Edinburgh to call out "some choice companies" which were mustered in the courtyard of Holyroodhouse and that, with their assistance, the gate was blown in, with out opposition of the Captain, Archibald Haldane. Another story relates that "a certain devout gentlewoman of Edinburgh" visited the Captain to divert his attention from Leslie, who appeared with 1,000 musketeers. The gate was burst open with a bomb, an attack through the Spur was made on the second gate and the castle surrendered after twenty minutes resistance.

20th March 1639.

[The accounts of the last kirk treasurer show a charge of 25,796 li. 0 s. 4d., and his discharge to 24,625 li. 5 s. 8 d. The balance due to the town is therefore 1,170 li. 14 s. 8 d.

Discharge  
Johnne Wilsoun  
clerk to the  
sessions  
admissioun  
Mr Patrik  
Henrysoun.

Foresameikle as the counsall haiffing presented Johnne Wilsoun wrytter to be clerk to the sessions of the Kirkis of this burgh during the counsallis will . . . and now being acquentit be Eduard Edgar baillie of ane letter the said Johnne had writtin to ane of the ministers of this burgh schewing that he had divertit himselff frome the said service and had givin ordour for delyverie of the registers of the actes of the sessioun he had in his handis as his letter daitted frome Haddingtoun the 16 of this instant beires . . . in consideratioun quherof the counsall . . . dischairges the said Johnne Wilsoun of the said plaice of clerkschip . . . and haiffing perfyte experience of the qualificatioun and abilitie of Mr Patrik Henrysoun reider in the gritt church Thairfore they have presentit . . . the said Mr Patrik to be clerk to the saids sessions . . . during thair will and to the ordinar fiall belonging thairto. . . .

22nd March 1639.

Precept . . .  
airmour.

Ordanis the dayne of gild to delyver furth of the tounes magasin of thair airmoure such airmor as the commanders of the severall cumpanies of this burgh or anie of theme sall require upon thair band of redelyverie thairof againe the next wick. . . .

29th March 1639.

Precept . . .  
boumme Leith.

Ordanis the thesaurer to caus putt ane boumme upone the herberie of Leith. . . .<sup>1</sup>

3rd April 1639.

Precept . . .  
airmour  
Colonell Munro.

Ordanis the dayne of gild to delyver to Collonell Munro the number of ane hundreth and fourtie muskettis bandieliers and staffis effeirand therto with the number of sextie picks upone his tickett of ressaitt and ane band of some of the Nobilitie barroumes and uthers to be kept for his warrand.<sup>2</sup>

23rd April 1639.

Letter nobilitie  
. . . commis-  
sioners to  
parliament . . .

Compeired Johnne Smith merchand and Ritchard Maxwell and producit ane letter direct frome certain noblemen to the proveist and baillies of this

<sup>1</sup> The fortifications required by Charles I. (pp. 37, 38, 39 and App. viii.) had not taken effect. *Gordon* (ii. 207-8) describes the erection in haste of modern fortifications. See note on p. xxxvii. *supra* as to the fortifications.

<sup>2</sup> Colonel Munro had fought under Gustavus Adolphus. One of the new regiments was put under his command with orders to guard the Border from English invasion and to watch the Earl of Nithsdale, who had declared for the King (*Ibid.* p. 204).

burgh desyiring that ther commissioneris to be elected to the parliament sall meitt at Edr the aucht of Maij nixt conforme to the said letter daittit the 22 of this instant.<sup>1</sup>

*24th April 1639.*

[John Smith and Richard Maxwell are elected commissioners to the parliament, appointed by His Majesty to meet on 15th of that instant.]

*3rd May 1639.*

Compeired Williame Diek proveist and producit ane missive letter direct frome his Ma. heigh commissioner the Marqueis of Hammiltoun his graice frome aboard out of his Ma. schip callit the Rainebow<sup>2</sup> the second of May instant to the proveist baillies magistrattis and counsall of the Citye of Edinburgh Quhilk the counsall ordanis to be insert and registratt in their counsall buikis whair of the tennour followis Loving freinds such is and haith bein his Ma. tender fatherlie eaire of this his native kingdome that he haith bein graciouslie pleased to indevore in anie faire and calme wayes to reclayme his disobedient subjects within the same bot hitherto all in vaine It haiffing producit no better effects in divers of theme bot the daylie inressing of insolencies, and to such ane heicht it is growne that nothing can be justlie expected from his Ma. bot to use his Royal powar by force, yitt still such is his guidnes and elemencie as that will be the last way he will tak and then to his gritt greiff Quhairfore he hes bein pleased to send me his heigh commissioner unto these pairts againe with full powar and autoritie to accomodat these effaires (if it be possibill) in ane peaceabill way and to treat and use his guid and dewtifull subjects with all favour and kyndnes quhair of I thought fitt to give yow notice yow being the cheiff and principall citie of this his kingdome, yitt I may say with sorrow that none hes schewing theme selffis more refractorie and dissobedient to his just commands then yow, Bott yitt ther is tyme for repentance such is his Ma. elemencie, These ar thairfore to desyre yow that not onlie your selffis bot also that yow prepair the hairts of the commouns that both yow and thai may be readie to ressaive his Ma. gracious pleasour which salbe signified unto yow with that humble and thankfull obedience as becommeth loyall dewtifull and guid subjects so that by your guid example the rest of this kingdome may doe the lyik which will be ane meanes for yow to redeme his Ma. favour which yow have justlie lost, and save the schedding of much innocent blood which both his Ma. and all just men call heaven and earth to witnes yow are the principall causers thair of as haiffing cheiffie countenanced the beginners of these trubles and which one day most lye heavielie upone your consciences and call for just vengeance from God and the King with

Missive letter  
... from his Ma.  
heigh  
commissioner  
...

<sup>1</sup> Parliament met on 15th May and was prorogued till 23rd July, at the news of the march of the King's army to Scotland.

<sup>2</sup> The Marquis arrived in the Firth of Forth on 1st May with a fleet of about 28 ships (*Gordon*, v. ii. pp. 248-53).

the curses of manie innocents which by youre meanes will be distroyde ; Bott I houp now at the last yow will sie your awin errors and accept this meanes of reconciliatioun which now is to be offerit unto yow wherin no man sall more joy than I your verie loving freind J. Hamilton.

With the which letter the counsall being advysed and haiffing hard the opinioun and advyse of some of the nobilitie, gentrie and uthers heir present they have thocht guid and expedient that ane ansuere salbe returnit be writt to the said Marqueis his graice in maner sett down be advyse foresaid be way of missive letter Quhairof the tennour followis Please your Graice As we his Majesties humble and loyall subjectes doe with all thankfulnes acknowledge that his Ma. caire of this his native kingdome hes bein more tender and his Ma. proceedings more calme, then oure enraged enemies who have bein by all meanes seiking his Ma. dishonour and our utter ruine could have wisched, so ar we heartilie sorie that the suggestiounes and misinformatiounes of our enemyes sould have prevailed so far with his Ma. as that oure selffis or anie uther of his Ma. guid subjects sould be compted as refractorie and disobedientes to have deservit that his Ma. sould mak use of anie power or forces against us, who have bein seiking nothing bot the libertie of Oure Religioum against novatiounes, and that all questiounes micht be determined by a national assembleie and parliament, Both which wer grationslie indicted be his Ma. and haive bein doing nothing bot using preparatiounes for oure lafull and necessarie defence against threatned invasioun and hostilitie ; we ar glad that your graice is come hither as his Ma. heigh commissioner to accommodate effaires in a peaceabill way. Which is the desyre of our hearts and seames to us not onlie possible bot easie ; Bot we ar heavielie greived that your Graice sould come against this your native cuntrey in such ane hostile way as may rather provoke then pacifie and does pretend that the kingdome will be mooved to doe more for feir of violence, then frome trew loyaltie and conscience of that dewtie which we ow to our dread soverayne under God. No thing can be requyred of us for oure selffis who have the honour to be the cheiff Citie of this his Ma. kingdome, or for the commouns so far as oure creddeitts and powar can reatche, or for giving good exemple to uthers, in receaving his Ma. gracious pleasure and just commandements with all humble and thankfull obedience ; which sall not be to the full and most cheirfullie performit by us : Bot when we have doone the dewtie of guid and loyall subjects (which nixt unto our dewtye to God Almightie haith bein oure cheiffest caire and whairof we have givin all prooffes and exemplarie evidences), if it sall come to pas (which the Lord of his mercye prevent) that innocent blood sable sched, than late the curse cum on theme and the burdein presse the consciences of those who haith bein ather the principall causers, or the beginners or the fomenters of these present trubles, for as we have in this cause a guid conscience before God and nevir meant evill to any man, far les to oure King which is oure gritt confidence and comfort So we ar assurit to be approven of all just and good men who ar not ignorant of oure proceedings and of the necessarie causes of oure intendit defence. Your graice



knowes weill what fals calumnies hes bein spred against us, And we call to God of Heaven and earth to witness and how the wayes of trew informatioun (all which haive bein assayed by the Nobilitie, Barrounes, burgessis, ministers and commouns heir by whose speciall advyse we have sent this ansuere unto your graice and who have warrantid us to mak knownen thair mynd with oure oun) haith bein stopped this long tyme past, Humblie and earnestlie intreatting in thair name and oure awin that your Graice vald be pleased to convey to his Ma. eares the trew estaitt of maitters as they stand and the guid meaning of the honest and loyall hairts of us his Ma. subjectes, which will no doubt prove a more readie meane of reconciliatioun then all the terroris under heaven and which will obleis us to prove to the uttermost of oure powar your graices trew and humble servands. And ordanis the proveist and baillies to subscribe the said letter whairanent thir presentis salbe unto theme are warrant.

[William Gray, late baillie, and Thomas Patersoun, deacon of the tailors, are appointed to deliver the answer to the Marquis.]

*10th May 1639.*

The counsall being necesitat in thir urgent tymes of necessitie to disburse gritter sounes of money then thair commoun rentis or revenewis are abill to efford and feiring the inlaik of money when gritter necessitie sall ocure Thairfore ordanis Johnne Fleyming thesaurer to borrow upone interest the soume of ten thousand pundis. . . . [The treasurer announced that he had borrowed the said sum from Thomas Wilsoun, skipper in Leith.]

Borrowing of  
10,000 li.

*14th May 1639.*

Compeired James Sympsoun baillie in the Cannogaitt Alexr Peirie and Robert Robertsoun induellers ther and Mr James Logane and declaired that the haill burdeyne of the administratioun of justice to oure Soverayne lords liedges and doeing all other things necessar belonging to his office of a long tyme bygane had lyn upone him and thairfore desyrit that the said James micht have ane helper in thir trublesome and daingerous tymes Quhairfore the counsall hes elected . . . Hendrie Bannatyn maltman to be ane baillie in the Cannogaitt with the said James during the counsallis will.<sup>1</sup>

Electio . . .  
Bannatyn  
baillie in the  
Cannogaitt.

*15th May 1639.*

[Colonel James Lindesay of Belstanes to be burgess and gildbrother gratis.

A special council of sixteen members is chosen to meet twice a day to consult on all matters which shall occur.]<sup>2</sup>

<sup>1</sup> Though the contract arranging the transference of the superiority of the Canongate to Edinburgh was dated 1636, the actual charter was not granted till 11th December 1639. The Council, therefore, were previons in their assumption of the right to elect. Usually there were one baillie of the regality of Broughton and two baillies of the Canongate.

<sup>2</sup> The condition of the country, which might call for special precautions, was briefly as follows: the King's fleet under the Marquis of Hamilton was in the Forth; the King, with his army, near Berwick, General Leslie and the Covenanting army at Dunse Law; Montrose and others sent to the North to quell trouble with the Royalists, principally the Gordons.

22nd May 1639.

[Parliament  
House.]

Foresameikle as compt being maid betwixt Johnne Edgar thesaurer to the parliament hous and Thomas Dods plumber anent the soumes addebted at this instant to the said Thomas for casting of leid and laying of the same on the said hous The soume of ane thousand fyve hundreth thriescoir nyne pundis ten schillingis [the treasurer is to pay him 236 li. 3 s. 4 d. and give bond for the remainder.]

24th May 1639.

Charge deane of  
gild  
feilding  
peices.

Forsameikle as thair being in the societie at the proveist Williame Dick his first entrie thairto the number of four old copper kettils not serviceabill . . . Thairfore ordanis the said proveist to delyver the same to James Cochran deane of gild . . . and ordanis the said deyne of gild to cause cast the said copper in four peices of the best faschioun can be devysed for feild peices for the tounes service and to be keipit thairefter in the tounes magazin which quantitie of copper extends to four score ane stane threttein pundis. . . .

1st June 1639.

Agriement . .  
with Collonell  
Blair.

The proveist and baillies haiffing be directioun of the counsall agriet with Collonell Blair <sup>1</sup> for serving of this toun in militarie effaires with ther other commanders and for leiding in and out of thair cumpanies as he salbe desyrit for the soume of ane hundreth and fyftie dollors monethlie frome this day furth. . . .

5th June 1639.

[The inhabitants of Leith are divided into four companies, according to the quarters of the town.]

Precept . . .  
muskettis  
picks.

Ordanis the deyne of gild to caus mend all the muskettis and picks which ar in the magazin . . . and to agrie with expert artificers to that effect. . . .

21st June 1639.

His Ma. letter  
. . . for pre-  
pairing and  
fitting plaice for  
the generall  
assemblie.

Compeired Robert Fleyming merchand and producit ane letter direct frome his Maiestie to the Proveist baillies and counsall of this burgh whairof the tennor followis Chairles R. Trustie and weilbelovit we greit yow weill wheras we ar resolvit that a generall assemblie salbe haldin at Edinburgh upone the sext of August nixt wherat we Godwilling will be present in persoun It is [oure] pleasure that yow prepare a plaice fitt for that purpose wherin failt not as yow tender the guid of oure service we bid yow fairweill frome oure camp at Berwick the 19 of Jun 1639.<sup>2</sup>

[Commissioners elected to the General Convention of Burghs at Dunfermline.]

<sup>1</sup> Colonel Ludovic Blair is twice mentioned by Gordon as leading the men of Edinburgh (*Gordon*, iii. pp. 128, 200).

<sup>2</sup> Part of the conditions of the Pacification of Berwick, 18th June 1639. The King's declaration bore that, while he could not ratify the proceedings of the Assembly at Glasgow, yet he called an Assembly for 6th August, at which he intended to be present. See *Balfour*, ii. pp. 327-8.

26th June 1639.

Foresameikle as his Ma. haiveing formerlie givin ordour for remooving and dountaking of his saitt in the gritt kirk conforme to his will declaired in ane letter direct to the proveist baillies and counsall of this burgh daittit at Whythall the 24 of November 1634 yeires <sup>1</sup> as also haiveing of laitt by ane uther letter direct to thame daittit at his camp at Berwick the 19th of this instant willed theme to prepare ane plaice for the generall assemblee appointed to be at this burgh in August nixt wherwith the counsall being advysit and being willing to contribut what in theme lyeth for his Ma. service Thairfore they have ordaynit . . . the whole eist pairt of Sanct Jeilles church to be inclosed with ane stone wall fröme that pillar eistward whair his Ma. saitt is for the present and ordanis the said saitt to be remooved and to be plaiced in some uther convenient plaice of the said church and the said pairt to be designed for ane paroche church to such ane pairt of the town as heirefter sall be agriet upone conforme to ther act of counsall daittit the 26 of Januarij last And in the meane tyme ordanis the thesaurer to repair the same for the use of the generall assemblee as plaice most fitting and commodious for the same . . . and ordanis Johnne Admistoun thesaurer chosen for building the said wall to remove the said saitt and to accompleis the said wall and to repair the south windoes of the said eist pairt . . . with all diligence as also to remoove and tak down the sang scoole in the kirkyard of the said church. . . . <sup>2</sup>

Remoovall  
his Ma. Saitt  
in the gritt  
church  
Eist pairt of  
St. Jeilles  
church to be  
inclosed with  
a wall . . .

10th July 1639.

[A convention is summoned for 6th August at Dunfermline, according to the 18th act of the General Convention of Burghs.]

12th July 1639.

[Colonel James Lindesay of Belstain is to be paid 800 merks and dismissed the town's service for the present. <sup>3</sup>

Colonel Ludovic Blair, having served the town for six weeks, is paid the balance due to him and dismissed. An agreement is to be made for half-pay service in time of peace.] <sup>4</sup>

19th July 1639.

[The treasurer is to borrow 2,000 merks for fitting up the east kirk for the meeting of the General Assembly.]

26th July 1639.

Ordanis the thesaurer . . . to borrow upone interest the soume of tua thousand merkis to be givin to Johnne Edgar thesaurer to the parliament house for levelling the kirkyaird and covering of the turnepyykes. . . .

Chairge . . .  
parliament  
house.

<sup>1</sup> This letter does not appear to have been recorded.

<sup>2</sup> Orders for the removal of the Song School had been given already in 1634 and reported on in 1635. Apparently nothing had been done. See pp. 145, 147, 169 *supra*.

<sup>3</sup> See 15th May. There is no record of his being in the Town's service.

<sup>4</sup> See 1st June and note.

31st July 1639.

[John Smith and Richard Maxwell commissioners to the convention of burghs.]

Commissio  
... Denmark  
... for  
recovery of  
James  
Downye  
his schip.

Ordanis ther clerk in thair names to wryte to Lord Cristopher Elffalt governor of Caupmaholme and to Lord Cristian Fraiss gritt chancellor of Denmark desyring thair intercessioun with the King of Denmark for recoverie of ane schip callit the George of Leith quherof James Downye was maister for haiveing schippit therin certan powder and leid contrare ane edict published be the said King which [wes] not published whill he passed thurh the sound eistward. . . .

2nd August 1639.

Apointes to meitt and confer anent such thinges as may concerne the guid toun to be handlit and proponit in the enswing parliament Eduard Edgar James Cocheran Johnne Fleyming Sir Johnne Sincler, Williame Gray Johnne Smith James Rucheid Ritchard Maxwell Robert Miklejohnne and Thomas Quhytt. . . .<sup>1</sup>

9th August 1639.

[Appointment of commissioners to the General Assembly from the council and from the college.]

23rd August 1639.

Admission  
Yonsoun  
coupar in  
Leith.

Ressavis Peter Yansoun de Grave indueller in Middilburgh to the friedome of the exerceise of his craft of couper in Leith . . . with provisioun he accept of prenteisis.

6th September 1639.

Ordanis George Suittie thesaurer to the laitt collection to pay to Collonell Blair Major Grier serjand Leyis and [ ] Wauch maister such soumes of money as ar addebt to theme for thair service. . . .

18th September 1639.

[Citizens of  
London fined]<sup>2</sup>

Compeired Maister Randell Lowis and Chairles Grinstoun citisens in Londoun being conveynit for haiveing brocht some gold and sylver laice pointes and buttounes and bever hattis and siklyick within this toun and for not making offer therof to the counsall and selling and retailling therof to the

<sup>1</sup> See *A.P.S.*, v. pp. 252 onward for matters concerning Edinburgh passed by the Lords of the Articles. These included various petitions by the crafts, a dispute between the merchants and craftsmen as to wares to be sold by them, the ratification of the contract of Heriot's Hospital with the King and Earl of Roxburgh, and the ratification of the act anent the augmentation of ministers' stipends.

<sup>2</sup> The rubrics at this period are too lengthy to insert in the form given in the Council Records. They are summarised from this date onward.



nichtbours . . . Quhairfore the counsall unlawis the said Maister Randell Lowis in the soume of fyve pund stirling and the said Mr Grunsone in the soume of ten pund stirling. . . .

27th September 1639.

[The arrears of Dr. Elliot's stipend are to be paid to him.]<sup>1</sup>

1st October 1639.

[Council for the year 1639-40 : *Provost*, William Dick ; *Bailies*, George Suittie, Stephen Boyd, James Roucheid, Johnne Binnie ; *Dean of Gild*, James Cochrane ; *Treasurer*, John Fleyming ; *Council*, Sir Alexander Clerk, Thomas Chairteres, Eduard Edgar, Robert Achesoun, John Kniblo, John Smith, William Gray, Robert Maistertoun, Thomas Mudy, John Peirsoun, Andrew Halyburnetoun, smith, James Wilson, skinner ; *Deacons*, Richard Maxwell, saddler, John Pringill, surgeon, Adam Lamb, goldsmith, Robert Miklejohnne, skinner, Gilbert Somervell, tailor, John Pook, cordiner ; *Extraordinary Deacons*, James Pargilleis, furrier, James Tuedye, wright, Thomas Patersoun, mason, Adam Stevin, baker, Robert Andersoun, flesher, Archibald Wricht, weaver, John Wawes, waulker, David Wyllie, bonnetmaker.]

14th October 1639.

Wheras the counsall being bund in ane commoun band be thair laitt commissioners with the rest of the Kingdome for rambursing the moneyis givin out the tyme of the laitt trubles which being impaired to the nichtbours the counsall with thair consent ar content and agries that ane course be taikin for condiscending upone the pairt which sall fall to the Guid Toun for ther proportionall pairt of the same which being condiscendit upone the saids nichtbours are content the counsall sall take ordour for payment thairrof be taxatioun.

[Share of the Kingdom's expenses during late troubles.]

18th October 1639.

Grantis licence to Williame Comdone french scholemr to teach childrein and also to teache the inglisch tongue and to reid and wryte. . . .

25th October 1639.

[David Mureheid, burgess, is admitted gildbrother gratis.

George Chalmers in the Canongate is admitted burgess and gildbrother gratis.]

13th November 1639.

David Murray elder merchand being conveynit for the sudden fyre did fall out in his upmost loft upone Sunday last the tyme of the foirnoone sermone [Fire.]

<sup>1</sup>An act of the commissioners of the General Assembly, 7th January 1639, ordered the removal of Dr. Elliot from Edinburgh. See Appendix xv.

by dryeing his skins with fyre which he alledges was putt out upone the Setter-day at nicht before for which the counsall unlawis him in the soume of tuentie dollors . . . to be destribute amongst theme who did help to stainche the said fyre. . . .

*15th November 1639.*

[The council enact that no one may dry skins in upper lofts by fire and by putting fires on hearths under pain of punishment at their pleasure.]

*22nd November 1639.*

[Bread, 12 d. loaf of best wheat bread, 14 oz. ; 12 d. loaf of "sour" bread, 1 lb. 2 oz. 10 drops ; 12 d. loaf of rye bread, 1 lb. 7 oz. 4 drops.

Ale, 12 d. the pint ; beer, 16 d. the pint.]

*11th December 1639.*

[The late Robert Maissonn left 200 merks for the poor of the hospital, to be used on bond or at interest for them.]

Katherine Prestoun, wife of the dean of gild, gave 100 merks, left verbally in legacy by the late Elspeth Prestoun, her sister, to the poor of the hospital.]

*17th December 1639.*

[Legacy by  
Somervell for  
a professor of  
divinity.]

Forsameikle as Maister Bartilmo Somervell portioner of Sauchtounhall being desyrous of the meanes bestowit upone him be God Almichtie to dispose ane pairt thair of to sum pious use after his deceis and thairfore delyverit to Johnne Fleyming thesaurer the soume of tuentie sex thousand merks . . . to be repayit bak againe to him at Witsounday nixt and failyeing of him be deceis to the aires lafullie gottin or to be gottin of his bodye which failyeing to returne to the . . . counsall . . . to be employed upone annuelrent in maner following viz. tuentie thousand merks . . . for intertaynement of ane professor of divinitie in King James his Colledge . . . and the soume of sex thousand merks to be employed for building of ane house to the said professor and the said hous to beir the ensigne name and airmes of the said Maister Bartilmo in his remembrance. . . .

*18th December 1639.*

[Lead for the  
Parliament  
House.]

Foresamikle as the baillie James Roucheid late thesaurer was ordaynit to buye in England and to bring home the number of ellevin fother and ane half of leid for the parliament hous and the thesaurer ordaynit to be the chairges thair of compeired the said James Roucheid and declaired that he was content till the comptes of the yeires of his office sould be maid to delyver to the present thesaurer the soume of fyve thousand merkis which soume the counsall ordanis the said present thesaurer to delyver to Johnne Edgar thesaurer

to the parliament hous for paying of the said leid and for help of compleitting the said parliament hous. . . .

[The following bond of mortification is inserted]: Be it kend till all men be thir present letters Mr David Makeall merchand and burges of Edinburgh forsameikle as it hes pleased God to blis me in my calling paynis and travellis and that at severall and sindrie tymes by God his Providence I wes mercifullie delyverit furth of gritt perrils and daingers both by sea and land, whairupone and in testimonie of his gritt favours caire and mercie towards me I vowed and promised to the Lord my God to dedicat some portioun of the meanes and substance he bestowed upone me to pious uses Thairfore and in humble performance thairof I be the tennor heiroyf give dott and dispone the particular soumes of money respective efter following to be imployed usit and disponit be the Proveist baillies and counsall of Edinburgh to the particular pious uses efter specifiet with consent of the persounes undernaymit in manner underwrittin viz. the soume of tua thousand merkis usuall money of Scotland to help to the building and repairing of the kirk in the southeist quarter, Item the soume of ane thousand merkis money foresaid to be imployed upone land or annualrent for helping to sustein the poore in the hospital at Leith Wynd foote my aires <sup>1</sup> and assignayis being patrounes and presenters of the poore therto sua far as the annualrent thairof will susteyne Item tuelf hundreth merkis money foiresaid to be imployed upone land for annualrent to susteyne tua bursaris within the colledge of Edinburgh yeirlye the plaices thairof my aires and successoures is and sall be patrounes and presenters thairto yeirlye as the samin sall happin to vaik Item tua thousand merks money foiresaid to be imployed on land for annuallrent to help the poore housholders within the toun of Edinburgh the annualrent quhairoyf to be destribute amongs theme yeirlye be the Kirk thesaurer of the said burgh Item fyve hundreth merkis money foiresaid to be imployed on land for annuallrent yeirlye to the behoove of the poore of the new biggit hospitall in Leith <sup>2</sup> and uther fyve hundreth merks . . . to be imployed on land for annuallrent to the behoove of the poore in the Trinitie house of Leith <sup>3</sup> yeirlye and my aires to be Patrounes and presenters of the said poore to the saids tuo hospitallis sua far as the annuallrent of the saids tua principall soumes will sustein Item ane thousand merkis money foiresaid to be wairit and imployit upone buiks to the librarie within the colledge of Edinburgh at the sight of my freinds and bairnis efter specifiet Item thrie thousand and fyve hundreth merkis money foiresaid to be imployed upone land for annuallrent to the behoove of ane sufficient qualified minister or preatcher to mak prayers and preitching everie Sunday in the morning in the

Mortificatioun  
legacies  
David Makeall.

<sup>1</sup> David Makeall's heirs were his three daughters, Christian, Janet and Katherine.

<sup>2</sup> The Leith Kirk Session Records have no mention of a new hospital till 4th March 1641, when a request was made to Edinburgh for "our said Chairtour of our new hospetaill called the Maltmans Hospetaill." This is probably the same as King James' Hospital, belonging to the traffickers, maltmen and trades of Leith, sometimes called the Maltmen's, because they contributed most to it.

<sup>3</sup> The Trinity House, instituted in 1380, built in 1555, was the hospital for the poor of the Mariners of Leith.

Southeast Kirk that is building at Nudreis wynd heid quhilk preitching and prayers sall be doone in the said kirk everie Sunday in the morning conforme to the Trew Religioun establischt presentlie profest within this Kingdome without any alteratioun additioun or diminisching therfra in anie sort, bot onlie to be doone as it is now usit without adding of any unnecessar ceremonie thairto that was laitlie lyik to be brocht in the Kirk and no utherwayes Lyik as I ordayne the preiching and prayers to begin everie Sunday at sex houres in the morning and end ane quarter after sevin thereafter or utherwayes as the Proveist and baillies thinks meitt And I mak and constitut the Proveist and baillies of this burgh present and to cum patrones for presenting of the said minister to the said kirk with consent of my aires and successors in all tyme cuming and to the effect the foiresaids soumes of money may be employed to the effect foiresaid Thairfore I bind and obleis me my aires executors and successours whatsumevir to content and pay and thankfullie delyver all the foiresaid principall soumes of money . . . to the proveist baillies and counsall of the said burgh of Edinburgh being for the tyme and that at the feist and terme of Witsunday or Mertymes as the samin salhappin to fall nixt and efter my deceis to be employed be the saids proveist baillies and counsall be the advyse of my aires and freinds undernamed in maner and to be the behoove foresaid lyik as the saids proveist baillies and counsall . . . be the acceptatioun heir obleissis theme and thair successours at the sicht and be the advyce of my aires and successours and of Sir Thomas Hope of Craigiehall Knicht his Ma. advocat Sir Johnne and Sir Thomas Hopes his sones <sup>1</sup> and of David Jonkein my brother to imploy wair and bestow the hail foiresaid principall soumes of money . . . immediatlie efter thair resait thair of upone land for annuel-rent in maner and to the particular uses and behoove respective particularlie above specifiet . . . . [If the council refuse the legacy the heirs and executors named above shall have the right to administer it. Signed and dated at Edinburgh, the 22nd August 1639.

The council accepted the bond.]

*20th December 1639.*

[Allowance to  
treasurer for  
interest on  
loans.]

The proveist baillies and counsall considering the gritt soumes of money wherunto the toun is and hes bein ingadged for performance of thair necessar effaires, the yeirle annuelrent whair of does draw to ane gritter soume of money nor can be convenientlie ingathered of the Tounes rent, And that therby thair present thesaurer is necessitat for keiping of dewtie to these unto whome the toun is ingadged to advance certan gritt soumes of money And the counsall not being willing that ther thesaurer sould be too gritt ane lossar at ther handis Thairfore they ordaine the auditours of the comptes to allow

<sup>1</sup> Sir Thomas Hope succeeded Sir William Oliphant of Newton as Lord Advocate in 1626 and in 1641 resigned the office to Sir Archibald Johnston. Sir John, his eldest son, succeeded Sir William Oliphant as an Ordinary Lord of Session in 1632. Sir Thomas, his second son, was knighted by Charles I. in 1633 and was nominated an Ordinary Lord in 1641.



to the present thesaurer annuelrent for all such gritt soumes of money which he hes since Mertymes last or sall happin heirefter to advance for thair annuelrent as they sall find him to have advanced of his ounne propper meanes and that could not convenientlie be ingathered of the tounes rents, and that frome the tyme of the advancement thair of till he be compleitlie payit of the same. . .

25th December 1639.

[Mr Andrew Stevinsoun resigned his post of a regent of philosophy.] <sup>1</sup>

27th December 1639.

[Mr Duncan Forrester, son of the late Mr David Forrester, minister, is elected regent of philosophy in the place of Mr Andrew Stevinsoun.] <sup>2</sup>

Appointes to confer anent the grammer scoole and schorting of the course thair of Maister Andro Ramsay, Maister Alexander Henrysoun, Maister William Coleyne Maister Johnne Adamesoun with Stevin Boyd baillie Eduard Edgar merchand and Richard Maxwell and to report.

[High School course.]

Foresameikle as the proveist baillies and counsall with ane number of the nichtboures of the best qualitie within this burgh being conveynit and considering that thair predicessours had procured of his Ma. and his Royal predicessours certain annuelrents belonging to the churehe of old within this burgh for the intertaynement of thair ministrie and colledge which being fund altogether insufficient for defraying of thair ministers alone so that the most pairt of the burdein of and haill chairges of the colledge did lye upone the commoun guid which sould have onlie bein bestowed upone commoun and politick uses Whairfore they had impetrat of his Ma. and estaittes conveynit in parliament in anno 1633 the soume of tuelf thousand merks to be upliftit of the house mailles of this burgh which lyik wayes being considerit that the same as it is licklie may be upliftit is not sufficient for releiving and frieing of thair commoun guid of the burdein of the saids ministers stipends Thairfore they have thoct guid and ordaynit . . . for the better decencie of thair Churches and for releiff of ane of the foiresaids burdeins that the whole churches of this burgh sall be filled with pewes or daskes and that thair be ane certan yeirle deutie imposed upone ilk pew or saitt to be uplifted of these to whome the same salbe allotted be the counsall and that the same being ingatherit be the elders and deacones of ilk churehe eache of theme within thair awin quarter ; together with the yeirle annuitie appointed to be taikin of the house mailles to be delyverit to the thesaurer of the kirk rentis for payment of the ministers

[Tax on rents for ministers' stipends.]

<sup>1</sup> In January 1611, Stevenson is alluded to as a regent, but no mention is given of his appointment. In that year he was appointed temporary regent of Philosophy during the illness of Mr Andrew Young (*Extracts, 1604-1625*, p. 69). *Crawford* (p. 73) gives another version of his appointment. Till 1623, he served as regent of humanity and then, at the death of Young, took his place again (*Extracts*, p. 246). The reason for his resignation was his call to be minister at Dunbar (*Crawford*, p. 137).

<sup>2</sup> Mr David Forrester, father of the new regent, had been minister at North Leith.

stipends and manteyning of the fabrick of the churches Lyik as the counsall with advyse and consent of thair saids nichtboures, appointes the saids elders and deacons each of them within thair ounne bounds collectours and ingatherers of the saids dewties of the pewes or daskes within eache church and of the saids dewties of the house mailles and ordaines theme to deliver the same to the thesaurer of the said Kirk rentis and the said thesaurer to pay yeirlie and quarterlie as use hes bein the saids ministers thair yeirlie stipends and fiallis and for effectuatting thair of the counsall . . . ordains the soume of ten thousand merkis presentlie to be borrowit be the toun thesaurer frome the nichtboures ane or mae as the same may be convenientlie had upone interest at such tymes as salbe thocht expedient to be imployed upone the building of the saids pewes at thair sight whome the counsall sall appoint for that effect and ordanis the said soume to be repayit furth of the said Kirk rentis and dewtyes and the annuelrent thair of to be repayit to the baillies which is apointed to be the meanes quherby the said soume salbe repayit without anie burdein on the commoun guid. . . .

*1st January 1640.*

[James Dalgleisch, merchant burgess, transferred to the council the bond for 7,000 merks due to him by Mr Adam Hepburne, that the interest on the money might be used for the relief of the poor, and administered with the advice of the ministers of the burgh. If the money be not used in the manner specified, it is to be repaid to him or to his heirs for some pious work in another place. The council accepted the bond and engaged to fulfil the foregoing conditions.]

*3rd January 1640.*

[Certificate,  
injuries by  
burning.]

Grantis testificat to Robert Bartan, sone to umquhill Johnne Bartan goldsmith testifieing that be saving of tua littill childrein which wer in the house of the Cannogaitt that was brunt the 26 of Apryle last he was brunt in the handis and other pairts of the bodye and that way was mutilat as he is now for the present And thairfore desyring that whatsoevir sall sie thair testificatt that they doe not impute the said mutilatioun to anie cryme bot to accompt of him as of ane honest man as it is cleirly understood to the counsall. . . .

*8th January 1640.*

[Appointment  
of a College  
Rector.]

Whereas the proveist baillies and counsall in thair yeirlie visitatiounes of the colledge be the advyse of the ministrie and uther learned men haiffing fund it most necessar both for the honor and beautye of the colledge as also for the better regulatting thair of that thair sould be ane Rector chosen <sup>1</sup> who sould serve as the eye of the counsall of the toun for the universall inspectioun and as the mouth of the colledge for givin informatioun and delyvering of such overtoures to the counsall as anie wayes micht concerne the said colledge and

<sup>1</sup> See 5th January 1627, when Alexander Morison of Prestongrange was elected to that office (p. 18 *supra*).

the Proveist baillies and deacones of craftis now for the present finding the necessitie of the said plaice and being unwilling that the samyn sould be any longer wanting in the said colledge thairfore they have resolved and ordaynit . . . that yeirlie upone the first Wedinsday of December thair sall be chosen ane Rector and that the day of his electioun thair sall be chosen sex assessours to be joyned to him for advyse in all thinges sall be requyrit be him of theme whairof tuo sall be of the number of the counsall and tuo of the ministrie and tuo of the members of the colledge And it is declaired and ordaynit that upone the morne efter the said Rector his electioun he sall compeir in ane solemn meitting indicted to that effect to be haldin within the said colledge be the Proveist baillies and counsall and ministrie of this burgh and of the Mris and students within the said colledge and such uther learned men as may be convenientlie had for the tyme and thair accept upone him the said office and mak faith *de fidei administratione* As also it is ordaynit that in all solemn meittings thair salbe caryed before the said rector ane Mais as ane ensigne of his office be such ane persoun as the counsall sall appoint constantlie to that effect And becaus the said office of Rectorie hes nevir hithertills bein designed nor the subjects of the said office circumscrivit the saids proveist baillies and counsall hes devysed and ordaynit . . . that the said office of Rectorie sall consist in the frie and ample exerceis of the articles underwrittin and such uthers as they sall heirefter alter or adjoyne.

Imprimis the Rector sall wyselie considder and cairfullie observe what thinges may serve for the guid educatioun of the youth and for the flourishin estaitt of the colledge whither in the rents and buildings or in ordering of the maisters professors and students: He sall be the eye of the counsall of the Toun for universall inspeetioun and as the mouth of the colledge for giving informatioun and delyvering such overtoures to the Counsall as himself and his assessours sall find convenient.

[Regulations for  
the Rector.]

Item he sall be cairfull that nather the principall professor nor regents nor any uther member of the said colledge be deficient in thair dewtye preseryvit be the lawes and statuttis of the colledge he sall advyse theme and if neid be he sall admonische theme bot with that respect which is dew to thair plaices and in cais they amend nott what he judges amiss he sall efter the second admonitioun mak the mater knowin to the counsall of the toun.

Item the Rector and his assessors sall cognosce and judge of all complaints and debaitts not proper for the civill or ecclesiasticall jurisdictioun which sall happin to aryse amongst anie of the pryme maisters of the colledge as amongst the principall professor or regents or anie of theme as also betwixt the professors and regents as also of such complaints and debaitts as may aryse betwixt anie of the students of philosophie or anie of the students of divinitie or betwixt anie of these and the students of anie uther professioun or betwixt anie of the students of the professiounes amongst theme selfis he sall labour to compose theme joyslie and without scandale bot so that it sall be lauffull for anie of the pairtyes to appeale to the toun.

Item the Rector sall have in his custodie the matricula of the colledge contening the names of all the students of whatsumevir professioun who at thair entrie sall sueir and subscriyve in his presence and in presens of the principall and regents of the classis if he sall be a student of philosophie and if he be ane student of anie uther professioun in presens of the principall and professor and the said professioun and obedience to the lawes and ordours of the colledge with thair fidelitie and forwardnes for advancing thair of all the dayes of thair lyffe and immediatlie before they ressaive the degrie sall appeir in the common hall sweir and subscriyve the confessioun of faith as it is prescryved be the laitt generall assemblie baldin at Edinburgh in the moneth of August ane thousand sex hundreth threttie nyne yeirs.

Item the Rector sall have ane gritt register of the names of the benefactors with the expression of thair particular beneficence ; whither it be in lands rentis soumes of money buikis or anie uther way of liberalitie that thair may be preserved that honorable commemoratioun of theme that may be maid at sutch solemne tymes as sall be thocht fitt and that others may be mooved to follow thair laudabill exampill.

Item the Rector sall ressave frome the counsall ane transumpt of the whole rental and soumes of money belonging to the said colledge subscriyvit with the hand of thair commoun clerk that he may ryplie advyse how far it may extend and be employed for the weill of the colledge at the will of the counsall

Item the Rector sall not onlie be present at the solemne meittings of the colledge bot also be invited by the preses to begin and goe before the rest in all the publict disputtes of philosophie and divinitie anent all and sindrie which particulars and everie ane of theme conteynit in the articles above-writtin the saids proveist baillies counsall and deacones of craftis patrounes of the said colledge grantis and gives be thir presents to the Rector presentlie and heirefter to be chosen thair full powar and ample commissioun for doeing and exerceising the haill particulars conteynit in the articles abovewrittin in maner therin sett down. . . .

[Mr Alexander Henrysoun thereafter was appointed Rector and the six assessors chosen.]

*22nd January 1640.*

[William Gray elected commissioner to the particuler convention of burghs in place of John Smith, chosen by the Burghs for a mission to the King.]

*31st January 1640.*

Ordanis the thesaurer Johnne Fleymyng to repaire the gritt Auditorie in King James his colledge in building of dasks thrie storie height round about the same.



8th February 1640.

[Postpones an answer to the King's letter till it be further considered.]

Post meridiem.

Haiveing advysed anent ane ansuere to his Ma. letter and haiveing hard the ansuere red and drawin up with advyse of others whome it does concerne they ordayne the proveist and baillics to subserve the same. . . .

[Answer to King's letter.]

11th February 1640.

Forsameikle as the proveist baillics and counsall being commandit be his Ma. to ressave certan men and ammunitioun in land which his Ma hes directet hither to the Castell of Edinburgh and to convey the samyn to the castell with ane strong gaird and the counsall for testimonie of thair obedience being willing to admitt of the saids men and ammunitioun thairfore ordains proclamation to pas thurh this burgh be sound of the drum commanding all the inhabitants of this burgh in oure soverayne lords name and in name and behalff of the proveist baillics and counsell of this burgh to be in readines in thair best airmour eache commander in his oune collours to attend the magistrattis the morne the tuelf of this instant at aucht in the cloak in the morning as they salbe commandit under the payne of tuentie pundis unforgivin.<sup>1</sup>

[King's command anent reinforcements for the Castle.]

Followis the tennor of his Ma. letter

Charles R

Trustie and weilbelovit we greitt yow weill wheras we have thought fitt to send sum men and ammunitioun to our castell of Edinburgh we doe heirby will and command yow upone youre alledgeance to us and upone payne of incurring the punischement of hie treasoun not onlie to suffer the said men and ammunitioun to be forthwith laidit and saiffie convoyed into our said castell by such numbers and parcellis and at such tymes as the beirer heirof sall direct Bot lyikwayes to be ayding and assisting in oure service to Capitan Chislie <sup>2</sup> and Capitan Schipman and such others with whome we have committed the chairege of transporting and delyvering the same and to this purpose do straitlie charge and command you to cans bottes be immediatlie sent frome Leith to our schip to ressaive and bring on schoire the said men and ammunitioun and when the said men and ammunitioun salbe landit to caus ane strong gaird to convoy theme saiffie and to sie theme putt in oure said castell and to suppres and resist any insolencies or oppositiounes that salbe maid to this oure service the disturberes qubairof we doe heirby requyre yow to punische examplarlie as in caice of treasoun and we doe heirby furdur will and eommand yow to give spedie accompt of your diligences and proceidings heirin, and

<sup>1</sup> See *Gordon*, vol. iii. pp. 99-100, where it is stated that the city was much irritated by the request, but dared not refuse lest the Castle might open fire on them. Sir Patrick Ruthven, Lord Ettrick had been appointed governor when the Castle had been restored to the King after the Pacification of Berwick.

<sup>2</sup> Balfour (ii. p. 371) has it as Captain Slingsby.

that yow fail not in any of the premissis as yow will answeire in the contrarie at your uttermost perell. Givin at oure Court of Whythall the tuentie tua of Januarij 1639.<sup>1</sup>

17th February 1640.

[Despatch of  
letter to the  
King].

Ordains the proveist and baillies to subscribe the letter direct at this tyme to his Ma. which was red in all the counsallis audience as also ordains theme to direct the same to Maister Robert Barclay and to intreatt him to present the same with thair service to his Ma. and to direct ane other letter to the remanent commissioners for the Kingdome and to intreatt thair assistance to the said Maister Robert.

19th February 1640.

[Mr David Bisehop, one of the doctores of the Grammar School, resigned his post.]<sup>2</sup>

20th February 1640.

[Mr Roger Lowrye appointed doctor in the High School.]

26th February 1640.

[Legacies of  
Mr Robert  
Johnstoun.]

Foresameikle as thair being resting awand be William Dick, present proveist to umquhill Maister Robert Johnnestoun esquyre in Londoun<sup>3</sup> the tyme of his deceis the soume of thrie thousand pundis stirling contenit in ane band of ane gritter soume in and to the quhilk soume the said umquhill Maister Robert Johnnestoun lang befoire his deceis maid and constitut Hendrie Herrone his servand cessionar and assignay for the uses contenynit in his latter will and testament into the quhilk testament the said umquhill Maister Robert Johnnestoun left and bequeathed the soume of ane thousand pund starling to the proveist baillies and counsall of Edinburgh to be imployed on stock to sett the poore of the said citie to worke and did apoint the incres of the said stock to be destribut amongst the poore of the said Citie to [be] payit within ane yeir efter his deceis upone securitie to be givin to his executors for imploying and destributting the increase accordingle as also the said umquhill Mr Robert gaive and bequeathed . . . ane uther thousand pund starling for purchassing of land heretable with advyse of my Lord Johnnestoun towards the maintenance of aucht poore scollers within the colledge of Edinburgh allowing theme yeirly out of the rents of the said landis ane hundreth merkis of usuall money of Scotland the peace and the residue of the rent which he has estimat

<sup>1</sup> The date is really 1640, England having not yet changed from the old style of dating, abandoned in Scotland in 1600.

<sup>2</sup> Appointed 12th March 1630 (p. 71 *supra*).

<sup>3</sup> One of George Heriot's executors. See *Extracts, 1589-1603*.

to be tua hundreth merkis of lyik money to be equallie destribute yeirlie amongst theme to buye gownes and buiks and his meaning wes that four of the saids poore scollers beiring the surname of Johnnestoun sould be elected out of the scoole of Moffett which sould be buildit be the lord Johnnestoun according to the testators appointment and the uther tour out of the grammer scoole of Edinburgh beiring the same name and if there be not sufficient number to supplie the saids plaices that then the proveist baillies and ministers of Edinburgh foirsaid may elect some abill scollers out of Maister Heriot's hospitall to supplie the number, and at the avoydance of anie of theme in that caice his intentioun was that the saids Proveist baillies and ministers provyid at the nixt electioun some of the name of Johnnestoun upone the nominatioun of the said Lord Johnnestoun and minister of Moffett for the tyme and upone thair recommendatioun and this thousand pund starling is to be payed within ane yeir efter his deceis they giving securitie to his executors for performance as is afoirsaid which tua thousand pundis foresaidis to be employed within yeir and day efter the ressaitt therof to the uses above-expressed wherunto they are appointed and incaice of failyie the Lord Johnnestoun is apointed to evict and imploy the same. Item he left and bequeathed out of the superplus of his estaitt in maner as is sett down in the said letter will to the proveist and baillies of Edinburgh ane uther thousand pund starling they putting in sufficient securitie to his executors and supervisor to imploy the said soume in ane stock or morgadge of land towards the releiff of the poore people of the said citie . . in perpetuitie and this is to be payed within tuo yeirs efter his deceis. And now seing Johne Jowssie ane of the said unquhill Maister Robert Johnnestoun his executors for his guid will and favour to the guid tour and for the reddie payment of ane pairt quhilk is dew to theme be the said testament hes procured ane translatioun of the said Hendrie his richt to the said debt in favours of the saids proveist baillies and counsall as the said band and translatioun presentlie producit beires [The provost, bailies and council accept the said bond and translation in full satisfaction of the three legacies, exonerate the executors and bind themselves to dispose of the money according to the testament and further agree to any necessary deductions for the collection of debts, the expenses of the funeral and tomb and other charges which may become known.]

*28th February 1640.*

[Further legacies of Robert Johnnestoun, esq., are intimated as follows in presence of the council and ministers.] :

Thair is also left unto theme the soume of ane thousand pundis sterling to be employed upone stock or utherwayes to be putt out for proffit to buye gownes, schoes, stockings schirtis and cloathis to the poore childrein of Maister Heriot's hospitall which soume he did apoint to be payit for maintenance of the said poore quhen they sould be plaiced within the said hospitall ordourlie according to the intentioun of the founder and not before the counsall givin securitie to his executors for imploying the same accordinglie.

[Legacy,  
clothes for  
children of  
Heriot's  
Hospital.]

[Moffat  
grammar  
school.]

Item the Proveist baillies and ministers of Edinburgh are appointed to be presenters and choosers of the maister of the grammer scoole appointed to be erected at Moffett be the Lord Johnnestoun and of the hypodidasculus of the said scoole and of ane maister for teaching wrytting and arrithmetick thairin. Item thair is left unto theme the soume of ane hundreth pundis sterling towards the mantenance of ane habill scolemaister in Maister Heriots hospital which he appointes to be payit at the electioun of the said scoolemaister and to [be] employed on land for ane rent chairge or yeirlie annuitie of aucht pundis sterling. Item thair is left to Johnne Jowssie to be destributed among tuentie servand maids the daye of thair mariage who hes served sevin yeirs in merchands or artificers housis in Edinburgh honnestlie the soume of [     ]. Item thair is left to the colledge of Edinburgh certan law bookis and buiks of historie as also hes ordaynit his Italian frensch and spanish books to be chainged for uthers to be sent to the said colledge. Item he hes appointed and ordaynit that whatsumeveir legacie or gift contenit in his testament sould fall dew unto his executors or utherwayis by reassoun of the death of the pairtyes or any of theme to whome he had givin the same sould goe or be payable that all such sould goe whollie and absolutlie unto the foresaid stock to sett the poore of this burgh at worke . . . Item he hes left to Johnne Jowssie ane hundreth pundis sterling to purches a rent chairge or annuitie which rent he hes apointed to be destributed ratablie everie Sunday and givin amongs the poore people in the Grayfrier churche in bread unto the halt, lame, blind, seik and uthers that be most comfortles and not haibill to labour; Thairfore they ordaine sum course to be taikin be the proveist and baillies that the same pas not out of memorie bot may be rememberit in dew tyme quhensoevir the occasiounes thairof sall fall out and to report thair advyse theranent with the first occasioun.

*4th March 1640.*

[Extraordinary  
Watch.]

[The council, extraordinary deacons and certain neighbours being met.] Finding the necessitie in thir perrillous tymes of ane extraordinar watche by and attour the ordinar nichtlie watche thairfore they ordaine that with consent of the nichtbours that thair be levied thrie hundreth men to serve nicht and day . . . so long as the counsall shall think necessar and that for thair tymous payment it is concludit that the nichtbours sall pay the same according to the proportioun of thair last extent compting everie tuentie pundis to pay thrie pundis monethlie and so furth under and above. [Collectors are appointed for each of the quarters.]

[The accounts of the collector of kirk rents and of the kirk treasurer are audited and passed. The former has a balance of 590 li. 15 s. 5 d., the latter of 1007 li. 15s. 11 d.]

[Fire in  
Canongate.]

Ordanis the thesaurer to give the soume of tua hundreth and fyftie merkis for the counsallis cheritable support to the distressed people who hes sufferit in the laitt burning which hapned in the Cannogait.



9th March 1640.

[It is determined that the provost, baillies and council shall hold a head court in the Canongate on 13th March, as being now superiors of the same.]<sup>1</sup>

12th March 1640.

[The dean of gild is to provide armour for the town's new watch.]

18th March 1640.

[Mr Kenneth Logye, librarian, produced a catalogue of the additions to the college library from students, who graduated at Lammas 1638 and 1639, and of the books left by Mr Robert Johnnestoun.]

20th March 1640.

[The provost produced two letters from the King, as follows]:  
Charles R.

Trustie and weilbelovit we greitt yow weill. We understand by your letters to us of the 18 of Februarij that according to oure commandement yow caused the men and munitioun laitlie sent to our castell at Edinburgh to be convoyed thither, which being for your awin saiftie and to save yow from the disordours of such as ar evill affected to your governament and your peace it concerned yow to further with all reddines, Nevertheles we lyik verie weill the conformitie you have chewed to oure pleasure, and we tak it as ane argument of your good mediatioune to comply with your deutes in other oure services which if we sall find reallie performit yow may [be] confident that no enemyes of yours whatsoever (if any such were with us) sall have powar to satle other opinion in us then that which becomes a just and gracious prince to retein of good and loyal subjects. For these nationall statuttis yow mentioun and the commoun law of nature which forbid the receiving of any uther then natives into the strengthis of a free Kingdome<sup>2</sup> they are no thing to this purpose seing that by the unioun of tuo crownes of both these Kingdomes in the persoun of oure late deir father of blissed memorie the postnati of Scotland wer declaired and ar still accompted natives of this realme of England and ar as capabill of anie priviledges and immunities heir as anie subjects whatsumevir borne in England and manie of theme doe injoy theme accordinglie, so by the same ressoun oure subjects of England borne since the unioun ar of richt to be compted natives of oure realme of Scotland and to injoy all priviledges of frie borne subjects, therby which your objectioun appeares to be whollie without fundatioun. This being evident yow sie how littill caus yow have of feares and

Tuo letters  
direct frome  
his Ma. to the  
guld toun.

<sup>1</sup> The charter under the Great Seal, following upon the contract between the King and the Earl of Roxburgh and the Town, was dated 11th December 1639 (*Historical Charters*, No. 94).

<sup>2</sup> See *Gordon* (vol. iii. p. 100) for the protest made on 10th February as to the garrisoning of the Castle with strangers, when it was alleged that it was against the laws of the Kingdom that the Castle, where the Honours and the public records were, should so be kept. See also *Balfour* ii. p. 373 and *A.P.S.* iv. p. 321 when Lord Ettrick was decreed a traitor for "enter-taining a garrison of strangers"—and "using all maner of hostilitie against the citie of Edinburgh," and for not surrendering the Castle to the Estates.

jealousie that anie by procuring hard and grievous commandements doe plot or procure your ruines seing we intend nothing but your saiftie and preservation : Givin under oure signett at oure Court at Quhythall the 6 day of Mairche in the fyftein yeir of oure reigne.

Charles R.

Trustie and weillbelovit we greitt yow weill. We have laitlie by oure letters maid knownen to yow how weill we ar satisfied with your obedience to oure commandements by the diligence yow did use and the assistance yow gaive to the saiff and quyet passing of the men and munitioun which we sent long since for your securitie to oure castell of Edinburgh and tho we have reassoun upone so guid a grund to expect frome yow though unrequyred the lyik conformation in anie thing may concerne oure service and your guid yitt ther being now ane other occasioun presented by the fall of some of the workes of the castell thair whairin ye may by your lyik reddines conferme us in that oure gracious opinioun of yow we doe heirby will and requyre yow furthwith to furnisch and supplie the Lord Ettrick oure governor thair with men and in materialles and all things necessarie for the spedie reparatioun of these workes and to be ayding and assisting to him in this service to the uttermost of your habilities your awin saifties and honour of which ye sall alwayes have ane princelie cair being cheiffie concernit heirby. Givin at our Court at Quhythall the tent day of Mairche 1639 [1640].

Post meridiem.

[Special  
committee,  
affairs.]

The Proveist baillies thesaurer counsall and deacones of craftis with the ministers and ane gritt number of the nichtbours appointes to be upone the committe for treating anent such effaires as may concerne the toun in thir troubles tymes Stephan Boyd baillie Sir Alexr. Clerk Eduard Edgar Robert Achesoun Johnne Smith Robert Maistertoun Peter Blaikburne Eduard Ferquhare David Jonkein Ritchard Maxwell Johnne Pringill Robert Miklejohnne Thomas Patersoun James Murray yo. Johnne Inglis Johnne Hammiltoun.

*3rd April 1640.*

[It is agreed that the college revenues should be kept apart to the special uses for which they were given or bequeathed. A list follows of such gifts and legacies from 1597 till 1639.]

*4th April 1640.*

[Levy of men  
against  
invaslon.]

Wheras the counsall with the grittest pairt of the whole nichtboures of this burgh being conveynit and haiffing taikin to thair consideratioun the dainger of the conditioun of this present tyme and being willing to prevein the same be using all those lauffull meanes which God haith putt into thair handis thairfore they have thocht guid that ane competent number of men

sould be levied for opposing of all invasioun sall happin and that they sall be intertayned be the nightbours of this burgh and that according to the proportioun the counsall and committee sall appoint to everie man whairunto the nightbours did willinglie submit themeselffis and wei content to furneis theme with airmour and all uther necessars.

[Three men are appointed to collect and disburse all sums collected for the common cause, with three assistants.]

Wheras umquhill Mr Bartilmo Somervell haiffing left in legacie the soume of tua thousand merkis ether for ane help for releiff of the chaarges debursed be the counsall in the cummon caus of the cuntrey or for help to the building of the kirk in the castellhill <sup>1</sup> And siclyik the soume of tua thousand merkis to the hospitall the foote of Leith wynd and the soume of other tuo thousand merkis to the sessiouns of this burgh for releiff of the poore of this burgh and the counsall understanding that the said umquhill Maister Bartilmo did leive behind him in readie money the soume of [ ] which is sequestered in the handis of George Suittie baillie and considdering that he hes nominat Alexander Somervell his executour and incaice of his refusall certan others of his freinds, and the said Alexander not being as yitt resolved to accept upon him the said office and yitt being willing that the same sould be lent to the counsall upone thair band leist the said soume sould miscarie thairfore ordanis the said lyeing soume till be borrowed till Witsonday nixt. . . .

[Building of Church on Castlehill, legacy.]

[The treasurer is to hand over the town's powder, ball and match to be given out to the soldiers.]

*8th April 1640.*

Foresameikle as his Ma haiffing directed ane letter to the counsall for publishing ane declaratioun against the Erle of Argyle whairwith the counsall haiveing advysed with the nobilitie and gentrie and others heir for the tyme they ordaine ane answer to be direct therto in all humilitie which being red in counsall they allow therof and ordanis the proveist and baillies to subserve the same. . . .<sup>2</sup>

[King's letter anent Earl of Argyll.]

*13th April 1640.*

[The general weaponshowing is appointed for Thursday, 16th April.]

*17th April 1640.*

Post meridiem.

[The treasurer is to borrow 1,000 merks for the repair of the little church.]

<sup>1</sup> See 7th December 1639 (p. 224 *supra*). The legacy recorded there mentions no alternative use of the money.

<sup>2</sup> See *Gordon* vol. iii., pp. 131-2, which probably refers to this incident.

[Tax for Army.]

Understanding the necessitie of thair effaires growing daylie more and more thruch the maintenance of the publiet dainger lyeing upone the whole bodie of the toun which being taikin to consideratioun be the committe of the estaittes sitting heir it is universallie thought guid be all that for levieing and intertayneing of fyve hundreth men within the toun and Leith thair sould be levied the soume of fyftie thousand pundis for refounding quhairof they have not onlie assignit the taxt of the tent penny dew be the inhabitants of this burgh and be the inhabitants of the Cannogait and Leith Bot also hes declaired that if the said taxt sall not be sufficient thairfore that then the same sould be payit furth of the reddiest of the generall taxatioun of the whole Kingdome. . . . [For the present the treasurer is ordered to borrow the 50,000 li. and to give bond for the same.]

18th April 1640.

[Letter from governor of the Castle.]

Foresameikle as Patrick Lord Ettrick governour of his Ma: Castell of Edinburgh wreatt to the Proveist . . . quhilk wes ressavit this day at four houres efternoone and he haiffing presented the samyn to the counsell and they haiveing red and considerit the same ordanis ane ansuere to be sent to him with all diligence and the Proveist and baillics to subscriye the same.

22nd April 1640.

[General Alexander Leslie <sup>1</sup> is received burgess and gildbrother. At his request the following are admitted also: Alexander Simpsoun, John Taitt and Duucan Buchanan, his servants, and George Schein, servant to Mr Alexander Guthrie.]

24th April 1640.

[Contribution for army.]

Wheras the best pairt of the guid nichtboures of this burgh haiffing willinglie taiken upone theme the furneissing of certan men with airmoure and for paying of theme weiklie for the preservatioun of this good toun notwithstanding thair is divers nichtboures als habill as they who hes undergone that burdein who postponis defers and negleets thair dewtye in that commoun burdeyne whairof the counsell understanding thairfore they ordaine the magistrattis ather caus the saids refractorie persounes contributt in maner as the rest or to putt ther persounes in waird upone thair refusall without anie farder proces of law and thair payment to be and begin frome the tuentie of this instant.

27th April 1640.

[The sum of 1,000 merks, given by Doctor Arnot for some pious use, is to be added to former sums collected by the ministers and the interest is to be devoted to the support of two catechists.]

<sup>1</sup> Commander of the Scottish army. A field-marshal of Sweden under Gustavus Adolphus, he was recalled to Scotland in 1639 to take command of the Covenanting army. He was created Earl of Leven in 1541.



[The accounts of the bailies of the fines shows that 567 li. 17 s. is due to them. Of the accounts for the King's tax, the bailies owe to the town 2,736 li. 13 s.] which soume the saids Baillies alledges to be addebted to theme be the nicht-boures not collectit nor uplifted be theme in respect of the trubles of the cuntrey and the iniquitie of the tyme. . . .

29th April 1640.

[The clerk is to write to the kirk sessioun of Campvere for the delivery of the legacy of 630 *guidlings*, handed over by the West Indian Company of Flanders as left by the late Richard Purdye to Agnes Naiper, his wife, and her two children.]<sup>1</sup>

30th April 1640.

[The accounts of the collector of the merk per tun for two years show that the sums collected amount to 12,735 li. 6 s. 8 d. and his discharge amounts to 11,913 li. 6 s. 8 d. The collector is due to the town a balance of 822 li.]

4th May 1640.

Forsameikle as the exigencie of the tyme requyring that many things could be communicat to the nichtbours which concernis theme in common for the publiet saiftie and weill of the toum which can not be convenientlie doore without ane constant day be apointed for thair weiklie meitting Thairfore the counsall hes appointit and appointes that upone ilk Tysday weiklie after the sermone the hail nighboures sall conveyne in the parliament hous and ordanis this to be intimat to theme tomorrow out of the pulpittes.

[Weekly meeting of Town on Public affairs.]

6th May 1640.

[David Douglas, deacon of the surgeons *vicc* the late John Pringle.]

7th May 1640.

[Mr Robert Johnnestonn having bequeathed 1,200 li. scots for the relief of poor prisoners in the Tolbooth, whose debts should not exceed 100 li. scots, the money was produced and given to the treasurer and John Bynnie, bailie, to be distributed among so many prisoners as they should think might be helped. These two gave in a list of the prisoners relieved by them.]<sup>2</sup>

[Having thought it expedient that a treasurer should be appointed for managing the college revenue and having remitted to the Rector and three others] for tryeing of the validitie of the saids rentis of the said colledge giff the samyn wes habell to defray the burdein of the said colledge wheranent the saids per-sounes haiffing mett and conveynit and this day . . . declaired that they haive-examined the foiresaids rentis . . . and haiffing conferd the samyn with the

[College rental.]

<sup>1</sup> See 23rd August 1638 (p. 206 *supra*) where it is given as *East India Company*.

<sup>2</sup> See 26th February (p. 232 *supra*). Prisoners do not seem to be mentioned specifically.

burdein the samen wes to undergoe they did find that the saids rentis was sufficient to defray the foiresaid present burdeins thairrof. [The treasurer therefore is to enter the college rental in a great book and the college treasurer is to be charged with the income yearly and to pay the yearly expense of the college, viz. : To the principal 1,333 li. 6 s. 8 d. ; to the professor of divinity, 800 li. and house rent of 133 li. 6 s. 8 d. ; the professor of humanity, 100 li. ; to the four regents, 666 li. 13 s. 4 d. ; to the bursars, 200 li. ; to the keeper of the library, 266 li. 13 s. 4 d. ; to the janitor, 20 li. ; to the beadle, 20 li. ; to the minister of Currie, 496 li. 13 s. 4 d. ; to the minister of Kirkurde, 513 li. 6 s. 8 d. ; to the collector of the rents of Currie, 66 li. 13 s. 4 d.]

[Taxation.]

Haiffing at the desyre of the lords of the committe borrowit frome thair nichtboures certain soumes of money lyik as for their releiff the saids lords had assignit unto theme thair awin taxatioun of the toun of Leith and Cannogait upone compt to be maid be such as the counsall sould imploy for ingathering thairrof lyk as also the counsall had apointed the baillies for ingathering of the said taxatioun and caused theme subscrieve the said assignatioun whairwith the counsall being advysed they allow and approve the said baillies thair subscription of the said assignatioun.

*13th May 1640.*

[The late David Cruickshankis left a legacy of 500 merks to the hospital. The masters acknowledge receipt of the final payment of 229 li.]

*20th May 1640.*

[The accounts of James Roucheid, treasurer, for the two years of his office were passed. The first year, 1636-7, showed a charge of 110,194 li. 3 s., and a discharge of 104,280 li. 0 s. 11 d., leaving a balance due to the town of 5,913 li. 2 s. 1 d., with a further sum of 509 merks of interest allowed to him, which he refused to take, lest he establish a precedent. The second year, 1637-8, showed a charge of 158, 645 li. 0 s. 7 d., and a discharge of 162,353 li., leaving a balance due to the treasurer of 3,707 li. 19 s. 5 d.]

The accounts of the Parliament House were also audited and passed. For the first year, 1636-7, the charge was 30,678 li. 10 s. 8 d., the discharge 25,258 li. 8 s. 11 d., leaving a balance of 5,420 l s. 9 d. The second year, 1637-8, showed a charge of 22,146 li. 12 s. 5 d., a discharge of 22, 029 li. 18 s. 11 d., leaving a balance of 116 li. 13 s. 6 d.]

*29th May 1640.*

[Watch by  
companies  
nightly.]

Haiveing taikin to ther consideratioun the gritt necessitie the haill inhabitants of this burgh hes of ane constant and strong watche of thair aune number in this straitnes of tyme both for thair awin securitie and saiftie of all the liedges resorting hither which in ane fair and pleasant way hes bein expected to have bein performed bot is fund to be altogither neglected be all the inhabitants of this burgh to thair gritt dainger haysart and disgrace for remed quherof the proveist baillies and counsall hes statut and ordaynit that the nichtlie watche of the inhabitants sall begin nichtlie at aucht hours in the

cloak at nicht and to abyid till four in the cloak in the morning thairefter, And for this effect hes ordaynit . . . that the said watehe sall be keiped be ane wholl cumpanye with ther commanders and uther under officers be theme selfies in ther oune persounes weill and sufficientlie airmit beginning at the second cumpanie of the northeist quarter of this burgh and so furth in ordour about and that thai sall be in readines at the touch of the drum before aucht in the cloak at nicht and sall repayre nichtlie at the said aucht in the cloak to ther cullours in the parliament yaird and ressave thair ordours frome ther commanders under the payne of threttie schillingis to be payit of such as sall not keip the said dyett and tyme or sall not fulfill ther ordour and under the payne of thrie pundis to be payit be the absents or such as sall depairt befoire the tyme appointed and farder punisshement of thair persoun at the option of the Magistrattis. . . .<sup>1</sup>

*1st June 1640.*

Finding that ane gritt pairt of the burgesis and gildbrether of this burgh neglecting both thair aith givin at ther admissioun to the libertie of this burgh and ther bund dewtie in thir tymes of necessitie quhairin they ar obleist before God for the weill of this burgh hes to thair disgrace left this guid toun living the same exposed to all hasart and in maner separatt theme selfis frome the the rest of thair nichtbouris in which cariadge if they sall continew they can nott be thocht worthie to bruik anie libertie within this burgh thairfore they haive statutt . . . that all persounes burgessis and gildbrether of this burgh repair to the same betwixt and the sext of this instant and mak ther actuall and continuall constant residence therein . . . that they may be readie at al occasiounes to undergoe all such labour hasert and burdein as they with the rest of thair nichtboures sall be commandit with certificatioun to theme if they sall failie they sall be depryved of ther libertie of this burgh and they and thers declaired uncapabell thairof in all tyme beirefter and ordanis this to be intimat be sound of trumpett at the mercatt croce of this burgh. . . .

[Desertion of  
the Town by  
freemen.]

*4th June 1640.*

The counsall being acquainted be thair commissioneris of the procedor of the barrones of this kingdome in this parliament craeving theme selfis to be declaired the thrid estaitt and to have ilk ane of thair commissioners ane decessive voice in all parliaments wherwith the present counsall being advysed and being most willing to contribut all that is in thair powar for the guid of all thair estaittes without thair oune preiudice yitt finding this particular craived to tend to the overthrow of thair estaitt thairfore thai ordaine their com-

[Baron's claim  
to be the  
Third Estate.]

<sup>1</sup> The reason for these precautions was the renewal of hostilities between Charles I. and the Scots in this month. The Castle was invested by General Leslie, till 12th June, when the Estates ordered him to assault it.

missioner to disassent therfra and rather to ryse then to sie such ane conclusioun pas in voice of parliament.<sup>1</sup>

*10th June 1640.*

[John Mudy and John Donaldsoun, servants to General Leslie are to be made burgesses and gildbrethren gratis.]

*12th June 1640.*

[James Coehrane, dean of gild, and Robert Miklejohnne commissioners to the general Convention of Burghs at Irvine in July.]

*17th June 1640.*

[A committee is to be sent to persnade Mr William Bennett, minister at Monymail to come as pastor to the burgh.]

*1st July 1640.*

[There was handed over by the kirk treasurer the sum of 1,000 merks given by Dr. Arnot to be used for the salary of two catechists] for instructing the inhabitants of this burgh in the fundamentall grounds of relligioun.

*3rd July 1640.*

[Severall additional sums given by various charitably-disposed persons were handed over by the ministers to the Council for the purpose mentioned above.]

*9th July 1640.*

[Mr John Adamesoun, principal, commissioner for the College to the General Assembly at Aberdeen.]

*17th July 1640.*

[James Coehrane and Robert Meiklejohnne commissioners to the General Assembly.]

*29th July 1640.*

[Blockade of the Castle.]

Foresameikle as the Committee of Estaits haiveing thocht it necessar that sex hundreth souldiers with thair officers sould remaine at Edinburgh for bloking up of the castle and doeing all dewtie theranent as also hes desyred the counsall to borrow the soume of fourtie thowsand merks for the intertainment of the saids souldiers and the officeris to be payit for the twa pairt be the counsell and the thrid pairt upon the publiet chaarges of the kingdome for repay-

<sup>1</sup> For an explanation of this act see Rait, *Parliaments of Scotland*, pp. 410-1, where the reason for the objection is given.



ment quherof the said committee hes obleist the Estaitts to repay the said soume with the intrest therof . . . as thair act of the daitt at Edr the tuentie fyft of Julij instant at mair lenth proportis, [the Council order the treasurer to borrow the money.]

*19th August 1640.*

Compeired the lord provest and produced twa letteris of thanks direct to the counsell from the Committee of Estaitts . . . daitted the 14 and 15 of this instant from Duns and the Camp quhich the counsell ordaines to be keipit amang uther their writts.

[Letters from  
Committee of  
Estates.]

*21st August 1640.*

[The treasurer is ordered to borrow 2,000 merks of Mr Bartilmo Somervell's legacy, for which the provost and baillies will give security], to buy ten silver cupps for the use of the communioun and to report thair weight and pryce to the counsell the nixt counsell day.

*26th August 1640.*

[The east part of St. Giles, restored and provided with seats, is allotted to the North-west parish for the time. The seats are to be let to those who will pay in advance the price for a year.

The voluntary offering for the building of churches, not yet collected, is to be collected and used for building the church at the Tron.]<sup>1</sup>

*2nd September 1640.*

[All the burghs are to be summoned to a convention in the town before the Parliament.]<sup>2</sup>

*30th September 1640.*

[Letters are to be written to certain burghs] requyring them to trye among their nighbours what shipps hes bein taken be his Maties shipps with the shipps and Masteris names their loadning burding and validitie and to send the same to this brugh betwixt and the thrid of October nixt.

[Captures by  
King's ships.]

*7th October 1640.*

[Water bailie of Leith, Andrew Ainslie ; baron bailies, Andrew Ainslie and John Pearsons.]

Bailies of the Canongate, Henry Bannatyne and Robert Robertsons. The former is to be bailie of North Leith.<sup>3</sup>

<sup>1</sup> See 1st August 1635 (p. 165 *supra*) for the form of the voluntary offering.

<sup>2</sup> The parliament, which had met in June of that year, had prorogued itself till November and was again prorogued till January 1641. See *Rail*, pp. 65-8.

<sup>3</sup> The first election by the Town Council of the Canongate magistrates. Previously the baron bailie of Broughton had had jurisdiction in North Leith.

Council for 1640-41 : *Provost*, Sir Alexander Clerk ; *Bailies*, William Reid, John Smith, James Murray, elder, Patrick Baxter ; *Dean of Gild*, Peter Blaikburne, *Treasurer*, William Trotter, *Council*, William Dick, George Suittie, Stevin Boyd, James Ruchaid, John Bynnie, James Cochrane, John Fleyming, John Fairholme, John Jowssie, John Adnistoun, Richard Maxwell, saddler, Robert MacKean, skinner ; *Deacons of Council*, Thomas Patersoun, tailor, James Guthrie, skinner, David Douglas, surgeon, John Ormistoun, smith, Thomas Cleghorne, goldsmith, John Poog, shoemaker ; *Extraordinary Deacons*, Thomas Sommervell, furrier, James Twedie, wright, James Hammiltoun, mason, Robert Steill, baker, Robert Anderson, flesher, George Hill, weaver, John Walles, waulker, Robert Lauchlane, bonnetmaker.]

21st October 1640.

[Isobell Farquhair, widow of Arthur Rae, writer, left 50 merks to the hospital.]

28th October 1640.

[William Dick is allowed to possess a burial-ground in Grayfriars churchyard.]<sup>1</sup>

30th October 1640.

[The riding of the Town's marches is postponed till June.]

4th November 1640.

[Bread, 12 d. loaf of best wheat, 14 oz. ; 12 d. loaf of "sour" bread, 1 lb. 2 oz. 5 drops ; 12 d. loaf of masloch, 1 lb. 7 oz. 4 drops.]

6th November 1640.

[Ale, 14 d. the pint ; beer, 18 d. the pint.]

[Appointment  
of a Colonel.]

Agries with Colonell Lyndsay of Bellstaines that he sall remaine within the toun and serve them as ane Colonell . . . and this dureing all the spaice and tyme as this countrey sall intertein ane army in the feilds and that for his service dureing the tyme of peace he sall have monethlie the soume of thrie hundreth threttie thrie merks and in tyme of warre the soume of fyve hundreth merks monethlie. . . .

13th November 1640.

[Lady Yester's  
gift.]

[There was received from Dame Margaret Ker, Lady Yester, 1,000 merks] to relieve the good toun of ane pairt of the great expensis . . . quherunto they have being redacted in thir present troubles. . . .

18th November 1640.

[Alexander Pennycuik, surgeon to his Excellency, Alexander Leslie of Balgonie, is admitted burges gratis.]

<sup>1</sup> Sir William Dick's body was brought from London to be buried in Grayfriars. See Pitcairn Anderson, *Silences that Speak*, pp. 273-4, for the question of the position of the burial ground.

<sup>2</sup> See 14th January 1639.

28th November 1640.

[The Council records several acts anent the disposition of David Makcall's legacies to the Town, noting that the Town owed to him 17,012 li. 7 s. 11 d. After deduction of the legacies 13,658 merks 7 s. 11 d. are due to his executors and the treasurer is to borrow and pay this.]

4th December 1640.

[A further attempt is to be made to induce Mr William Bennet, minister, to come to the Town, as approved by the General Assembly.]

9th December 1640.

[Mr James Wright, one of the regents of philosophy, resigned his post.]<sup>1</sup>

23rd December 1640.

Ordaines the baillies to pay to William Condon frenshe schoolmaster . . . the soume of ane hundreth pundis in compleit payment of all bygone pensiouns grauntit be the counsell to him and dischairges the same in all tyme comeing and this to be intimat to the said William he being present. [Last payment  
to French  
Schoolmaster.]

30th December 1640.

[Mr Thomas Crawfuird, present master of the High School is elected professor of mathematics in the College, with a salary of 600 merks.]<sup>2</sup>

2nd January 1641.

[Mr William Spence, present schoolmaster at Prestonpans elected master of the High School.]

8th January 1641.

[William Reid and Richard Maxwell elected commissioners to Parliament and to the Convention of Burghs on 9th January.]<sup>3</sup>

29th January 1641.

Electis Mr Andro Monro student sone to Jon Monro burges of this burgh to be keiper of the librarie in King James his colledge . . . in place of Mr Kenneth Logie presented to the Kirk of Skirling. . . .

5th February 1641.

[A particular Convention of Burghs is summoned for 11th February.]

<sup>1</sup> Called to be minister at Cockburnspath (*Crawford*, p. 142).

<sup>2</sup> See *Crawford*, p. 142, where it is stated that the Council diverted to the payment of his salary the legacy of James Dalgleish (1st January 1640, p. 228 *supra*).

<sup>3</sup> At this meeting of Parliament, as prorogued from November 1640, a letter was read from the King promising a personal visit to hold Parliament and asking for a further prorogation. The army of the Covenanters at this time was in occupation of Newcastle.

11th February 1641.

[Peter Blaikburne and James Guthrie commissioners to the above Convention.]

19th February 1641.

[Envoy to the  
King anent  
Town's private  
affairs.]

Ordaines the proveist and baillies to direct some persone of creditt whom they will trust with the letters to the commissioners for dealling with his Matie anent such affaires as concerne the Towne in privat and also ordaines them to send with him the Borrowis twa charters anent the commoun libertie of trade within his Maties dominions. . . .<sup>1</sup>

26th February 1641.

[An act of the Committee of Estates provides for repayment to the Town of 72,866 li. 10 s. 3 d. with interest amounting to 2,231 li.]

26th March 1641.

[A note was produced of the books recently bought in London for the library by Mr Alexander Hendersoun.]<sup>2</sup>

30th March 1641.

[Prorogation of  
Parliament.]

Compeired Richard Maxwell and in name of the Committee declared that the lords of the said Committee wer advertised that the parliament wes continued to the twentie fyft of May nixt theirfoir the counsell ordaines letters to be sent to the wholl borrowis advertiseing them of the prorogatioun of the said day and desyring them to send their commissioner hither betwix and the twentie ane of May nixt. . . .<sup>3</sup>

2nd April 1641.

[Lodging for  
General Leslie.]

Compeird Steven Boyd and reported that he had agried with Jon Maxwell for the lodging at Niddries Wynd heid pertening to his wyfe in lyfrent for Generall Leslie his use for ane yeir to come efter Witsunday nixt for payment of the soume of fyve hundreth and threttie merks of mail for the said laich lodgeing and ane laiche sellar . . . Quhilk soume they ordaine their thesaurer to pay. . . .

23rd April 1641.

[Synod at  
Llalthgow.]

Chooses Johne Bynn timerchand and James Guthrie deaken of the skinners to be commissioners and procurators for them to the synod assemblie appoynted

<sup>1</sup> See *Extracts, 1604-1626*, pp. xv. and 3.

<sup>2</sup> An act of 11th August 1641, states that Mr Alexr. Henderson was charged with the purchase of the books and spent on them £49, 9s. 6d. sterling.

<sup>3</sup> See 8th January, *supra* and note.



to be at Linlithgow the twentie sevint of Apryll . . . to answer to quhatsumevir complaints or supplicatiouns sall be given in aganis this brugh or Counsell or Magistrats therof they being lawfullie wairned As also to present quhatsumevir complaints or supplicatiouns the counsell hes to present to the said assemblee with power to insist and follow furth the samen. . . .

Ordaines proclamatioun to pas throw this brugh be sound of drum dischairging all persone or persones of quhatsumevir qualitie to presume or take upon hand efter this day to weir any plaids or their coats or taills about thair heids within the churches of this brugh or upon the hie streits or vennells therof under the paine of escheiting of the saids plaids worne about thair heids be such persounes as sall be appoynted be the counsall to that effect and under the paine of fourtie shillingis for the first fault fyve pund for the second fault and punishment of their persones at the will of the magistratts for weiring of the saids plaids pitticoatts or taills about ther heids.

{Proclamation  
against  
plaids.}

[Two further proclamations were issued forbidding the letting of houses to unfree persons and forbidding the placing of middens on streets or vennells or near the Town wall.]

*30th April 1641.*

The counsell sieing the meilmercat to become alltogether ruinous Theirfoir they ordaine the thesaurer to demolische the samen and to repair the saine of new and to extend the wall therof towards the south to the gutter in the Cowgait. . . .<sup>1</sup>

{Mealmarket.}

*24th May 1641.*

[George Suittie and Richard Maxwell commissioners to the approaching Parliament and to the Convention of Burghs to be held in the Town.]

*2nd June 1641.*

Quheras his Matie hes bein pleased to signifie to the counsell his resolutioun for repairing to the Kingdome to the Parliament appoynted to be halden at this brugh the fyften of July nixtocum requyring the counsell to provyd such such thingis tymouslie as will be incumbent to them. Thairfoir the counsell appoyntis James Murray baillie [the dean of gild, treasurer and thirteen others] to meitt and conveyn at all occasions and to consult, confer, and deliberat anent all such things as sall or may be incumbent to the counsell to performe and doe anent his Ma. homecomeing and to report to the counsell twyce in the weik theranent. . . .

{Coming of the  
King.}

<sup>1</sup> See *Extracts 1589-1603*, pp. 276 and 300. The mealmarket, or halls had been completed in 1602.

*4th June 1641.*

[Banquet to the King.]

Agries and ordaines that if his Matie sall come to this burgh that there be ane banquet prepared for him and theirfoir ordaines the committee to advyse anent the same and anent the way for defraying their of.

[Mealmarket.]

Haiveing ordained to renew the meil mercatt and now considering how usefull it may be to them. Theirfoir the counsell ordaines the thesaurer to build the same twa hous height with ane thrid with the helpe of the rooffe. . . .

[Leith bulwark.]

Ordaines the thesaurer to repair the bullwark of Leith sufficientlie for preventing of chairges heirefter. . . .

*11th June 1641.*

Ordaines the steps [and] the doores upon the south syd of the great kirk and little kirk to be build with all diligence. . . .

*16th June 1641.*

Ordaines George Suittie to pay furth of the reddiest of the extent collected be him the soume of twelff hundreth pundis for fyften hundreth weight of powder boght for the Towns use.

*18th June 1641.*

[James Cochrane and David Douglas commissioners to the general Convention of Burghs at Linlithgow on 6th July.]

*21st June 1641.*

[Banquet to the King.]

[The council, deacons and divers neighbours being met] Quheras his Matie haveing signifeed his royall will and pleasure to the counsell for repairing to this auncient Kingdome and holding of the approaching parliament in his owen persone and with all requyring the counsell to doe all such thingis as were incumbent to them for his receptioun as his letter direct to them at moir lenth propoerts—Quhich being now signified to the nighbours they all in ane voice did heartilie congratulat his Maties resolution and for moir ample testimonie of their affectioun they humblie desyre that his Matie may be intreated to honour this his auncient Toun with his presence to ane feast and because the same will be chargeable [it was agreed that 10,000 li. should be borrowed, to be repaid by a tax].

*14th July 1641.*

[Bill of health.]

Grantis bill of health to Capitan William Ramsay Master of the good shipp callit the Lyoun of Leith quherof William Dick of Braid is owner testifieing the said ship to pertain to the said William and that she is of the birth

of fowr hundreth tuns rigged furth with twentie eight peice of yroun canoun and there is the number of [ ] persones within the said shipp frie of the plague as the countrey is praised be God. . . .

[Commissioners are appointed for the General Assembly at St. Andrews and for the Parliament.]

*23rd July 1641.*

Appoynts to confer and treatt anent quhat is expedient to be done or soght ather from his Matie at his comeing or at the parliament concerning the Toun [the provost, dean of gild, treasurer and nine others].

[Committee,  
King's coming.]

*6th August 1641.*

Ordaines the thesaurer to buy cloth for coatts to the sexten officers of this brugh and to pasment the same with velvet pasmentis according as they wer of befor and in the same fashioun.

[Coats for  
officers.]

*11th August 1641.*

[As the money left by Mr Bartholomew Somervell for building a house for the professor of divinity is not sufficient for that purpose, and as they have the opportunity of buying the house of the late Sir James Skein with the yards belonging to it for 7,000 merks, the college treasurer is ordered to lift the sum of 6,000 merks, left for the purchase with a further 1,000 merks from the annual rents and to buy the house.]

*1st September 1641.*

[A committee is appointed] to set down the names of all such as sall be maid burgessis or gildbrether at request of the noblemen and such of his Ma. servands at the banquet the last day. . . .

[Burgesses made  
at Banquet.]

*3rd September 1641.*

Forsameikle as Mr Thomas Lamb being apprehendit for the slaughter of umqhle Jon Tuttop in Leyth committed be him within the bound and jurisdiction belonging to the Town of Edr. for the quhich he wes incarcerated within the tolbuith of Edr. quher he remaines for the present and the constable of this Kingdome haveing challengit the said deid as being done the tyme of parliament within the boundis belonging to him and did supplicat the parliament theranent wha ordained the proveist and baillies of Edr. to exhibite the said Mr Thomas to the said Constable as the delyverance of the saids lords daittit the fyft of August at mair lenth beiris <sup>1</sup> and the said Mr Thomas haveing

[Lord High  
Constable and  
manslaughter  
case.]

<sup>1</sup> Balfour, *Annales*, vol. iii. p. 26. A petition was presented to Parliament on behalf of the Earl of Errol for the surrender of the above-mentioned man to be judged by him, "as within the Constables verge in tyme of parliament." After much discussion the House ordered as petitioned. See Appendix iv. and A.P.S. v., p. 353.

since that tyme purchased ane letter of sleans from the said umquhile Tuttop his friends togidder with his Ma. remissioun quhich being sein be the Earle of Kinghorne tutor testamentar to the present Earle of Arroll hie constable of Scotland the said Earle hes under his hand consented to the liberatioun of the said Mr Thomas furth of the tolbuith as the said consent at mair lenth beirs quherof the tenour followis I Jon Earle of Kinghorne as tutor testamentar for Gilbert Earle of Erroll Lord High Constable of Scotland consent that the provest and baillies of Edr. and thair javellor present Mr Thomas Lamb to libertie furth of the Tolbuith of Edr. quherin he is presentlie detained for the slaughter of umquhile Jon Tuttop in Leyth and that in respect the said Mr Thomas hes purchast a letter of slaynes daitted the fourt day of August instant subscrivit be the said umquhile Jon Tuttops father and mother kin and freinds quherin they pardoun the said Mr Thomas and discharges him of all actioun civil and criminall competent or that may be competent to them againes him in his persone lands guidis and geir and acceptis him in thair favour quhilk letter of slaynes is registrat in the books of counsell the first day of September instant quherupon the kings Ma. hes given to the said Mr Thomas ane remissioun quherby he hes forgiven the said Master Thomas all cryme offence and danger he may incurre for the said slaughter in maner specifiet in the said remissioun quhilk is daitted the sextein day of August instant and therfoir I consent to the said Mr Thomas Lamb his liberatioun furth of the said tolbuith of Edr. quherin he is deteind for the caus foirsaid and thir presentis sall be ane sufficient warrand to that effect be thir presentis subscribit with my hand at Edr. the first day of September the yeir of God jm vjc fourtie ane yeiris *Sic subscribitur* Kinghorne. All quhich being considerit be the provest baillies and counsell they have ordained . . . their javellor to put the said Mr Thomas to libertie furth of the said tolbuith under protestatioun allways that their liberatioun of the said Mr Thomas in maner foirsaid is without prejudice of their libertie and sall not infer any acknowledgement of any power the constable hes within their boundis.

10th September 1641.

[Surgeons.]

Forsameikle as the provest and baillies considering that it is alsweill expedient for the guid of such his Maties leidges who resides outwith the brugh of Edr and within the liberties pertening to the said brugh that in the mater belonging to the art of chirurgerie they be provydit with skilfull and honest men and not left to the arbitrimint and imposter of woemen and ignorantis Theirfoir they dischaarge and inhibite all and sindrie whatsumevir persones not being friemen of the chirurgians within this brugh and hes given sufficient prove of their qualificatioun and knowledge in the said airt of chirurgerie to use and exerce any poynt of the said airt within the bounds and priviledgis pertening to the said brugh of Edr and appoynts the magistratts to be judges in all contraversies that sall aryse betwixt the inhabitantis of the said bounds and the brethren of the said craft.



1st October 1641.

[Colonel Lyndsay of Bellstanes is discharged.]

6th October 1641.

[Council for 1641-2: *Provost*, Sir Alexander Clerk; *Bailies*, William Gray, John Trotter, John Fleyming, John Pearsons; *Dean of Gild*, Archibald Tod; *Treasurer*, William Trotter; *Council*, William Dick, William Reid, John Smith, James Murray, Patrick Baxter, Peter Blaikburne, John Bynnie, William Dick, James Stewart, George Waker, Richard Maxwell,<sup>1</sup> James Fentoun;<sup>2</sup> *Deacons*, Thomas Patersoun, tailor, James Guthrie, skinner, James Rig, surgeon, John Ormestoun, hammerman, Thomas Cleghorne, goldsmith, James Edgar, shoemaker; *Extraordinary Deacons*, Thomas Somervell, furrier, Alexander Cleghorne, wright, James Hamiltoun, mason, Robert Steill, baker, Robert Skirling, flesher, George Hill, weaver, John Crystiesoun, waulker, Robert Lauchlane, bonnetmaker.

*Bailies of Leith*, James Rucheid and James Ellies; *Water bailie*, James Rucheid.]

12th October 1641.

[Mr George Gillespie, minister at Wemyss, is elected one of the ministers of Edinburgh.]<sup>3</sup>

13th October 1641.

[For accomplishment of Mr Robert Johnnestoun's legacy to eight bursars in the Colledge, the Council having been unable to purchase land with the £1,000 sterling, left for that purpose, at the required rate] for supplying that defect the saidis provest baillies and counsell ar content and agries to accept upoun them the saids soumes and ordaines their thesaurers present and to come to pay the . . . soume of ane thowsand merks scottis yeirlie to the thesaurer of the said colledge to be payit be him to the saids burseris . . . and consentis that ane dispositioun be drawn up quherby the provest baillies and counsell does dispone all and hail the soume of ane thowsand merks yeirlie to be upliftit furth of thair myhes at Bonytoun . . . to be payit to Jon Jowssie present thesaurer to the said Colledge and to his successors in his office to be distribute be them to the saids burseris with this provisioun allwayes that it sall be lawfull to the saids Provost baillies and counsell and their successours in office to redeem the said annuelrent be payment of the principall . . . quhensoevir they sall find the occasioun of purchasing of uther landis heritable that may yield the rent foirsaid. . . .

[Legacy to  
College.]

[The council, having received the sum of £1,000 sterling bequeathed by Mr Robert Johnstoun for setting the poor of Edinburgh to work and] haveing appoynted certane of their number for trying and finding out of such persones as would undertake the setting of poore at worke be meanes of the said stok and uther their owen meins and imploying the rest of the incres of the said stock upon the poore of the said burgh and making allwayis the said stock

[Legacy for  
poor.]

<sup>1</sup> Saddler; <sup>2</sup> Tailor.

<sup>3</sup> See 5th January 1638 (p. 199 *supra*). He was appointed to Grayfriars.

furth comeing at lenth as wes offered be Rot Trotter Thomas Leishman merchandis and certane uther thair pairtneris to accept the said soume to be repayed bak againe at the issue of fyve yeiris and to hold the number of thrie-scoir poore children at worke and to pay four per centum yeirlie to be distribute be their advyse among the poor parentis of the said poor children The saids provest baillies and counsell furnishing all wayis to them the saids poor children and setting for the spaice of fyve yeiris the houssis of Sanct Pauls Warke without the correctioun hous as also the houssis at Bonytoun mylne. [The council approve the suggestion and order a contract to be drawn up with the said men.]

*27th October 1641.*

[John Bynnie and Thomas Patersoun are to present Mr William Bennet, minister at Monymail to the Presbytery as elected to a charge in the town.]

[Capture of  
two ships.]

Grants testificat to be direct to the Admirall of England testifieing what is fund be the examinatioun of certane persones used be James Ferquhar and Andro Burnett merchands in Abirdein anent twa shippis taken in November 1639 goeing to Newheaven in Fraunce being under convoy of one of his Ma. ships.

*10th November 1641.*

[Mr Alexander Dicksoun, student of divinity, elected minister at Kirkurde in place of Mr Thomas Lamb, lately minister and deprived by the Presbytery of Peebles.]<sup>1</sup>

*19th November 1641.*

[Mr James Bonar, minister at Monybole is to be made burgess and gildbrother gratis.]

*26th November 1641.*

[The sum of 300 merks is granted to Mr Peter Ewatt, sometime one of their pastors.]<sup>2</sup>

*3rd December 1641.*

[Bread, 12 d. loaf of best wheat, 11 oz. 3 drops ; 12 d. loaf of "sour" bread, 14 oz. 14 drops ; 12 d. loaf of "masloch," or rye, 18 oz. 9 drops.

Ale, 16 d. the pint ; beer, 20 d. the pint.

Mr Henry Mauld, Keeper of the Signet and servant of the Earl of Lanark, to be burgess and gildbrother gratis.]

<sup>1</sup> See 3rd September (p. 249 *supra*).

<sup>2</sup> Mr Peter Ewatt, or Hewat, was deprived of his charge by the High Commission in July 1617. In 1619 he was charged to remove and be confined at Crossraguel by warrants of the King and the Privy Council. He died in the parish of Maybole, August 1645, aged about 78, in the 51st year of his ministry (Cameron Lees, *St. Giles*, pp. 292-3). He preached before the King on 19th September 1641 (*Balfour*, iii. 68).

*8th December 1641.*

[A discharge is given to William Dick for £2,000 sterling of Mr Robert Johnston's legacy, viz., for setting the poor to work and for the college.

A discharge is given also for the 26,000 merks left for the salary and house for the professor of divinity.]

*10th December 1641.*

Haveing caused the dein of gild peruse the haill names of thes who wer <sup>[New burgesses.]</sup> admitted burgessis or gildbrether of this burgh at his Maties being heir their-foir ordaines their clerk to insert their names in the locked book. . . .<sup>1</sup>

*22nd December 1641.*

Appoynts to confer anent the commountie of trade with England Jon Trotter baillie Wm Trotter thesaurer Sir William Dick<sup>2</sup> Ard. Tod Peter Blaikburne George Suittie Sir Jon Sinclair Andro Ainslie Patrick Baxter James Stewart Jon Ronnald Jon Bynnie Thomas Patersone Jon Ormestoun and to report. <sup>[Committee on trade.]</sup>

*24th December 1641.*

[The council determine that the town shall be divided hereafter into six parishes, as follows :

North-west parish : From the West Port, on the north side of the street, up the Over Bow to the Castlehill, upon the south side, and down the north side of the High Street to William Reid's Close inclusive. Their church, the west part of St. Giles and their minister Mr Robert Douglas.

North parish : North side of the High Street from William Reid's Close, exclusive, to the Laird of Haltoun's house called the Black Turnpike. Their church the east part of St. Giles, formerly called the choir and their ministers Mr Harry Rollok and Mr Alexander Henderson.

North-east parish : From Haltoun's house to the Netherbow, with the town's lands on the south side of the Canongate and the Correction House. Their church the College Kirk and their minister Mr William Bennet.

South-east parish : From the Netherbow to Peebles Wynd on the south side of the High Street, from the Cowgate Port on the north side of the Cowgate to Peebles Wynd and the south side of that street to Raplay's Close, excluding the College. Their church to be the new one, in course of building at the Tron and, till that be finished, the middle church of St. Giles and their minister Mr William Colvin.

<sup>1</sup> Volume iii. of Gild Register. Two keys were required for this volume. The admissions were made in August 1641, comprising the King's household staff, nobles and gentlemen as burgesses and gildbrethren and the other as burgesses.

<sup>2</sup> He was knighted on the occasion of the King's visit, when he is said to have lent to Charles I. the sum of 100,000 merks.

South parish : The High Street, from Peebles Wynd, exclusive to Forrester's Wynd and the north side of the Cowgate from the foot of Peebles Wynd to the foot of Forrester's Wynd, as also the bounds from the foot of Raplay's Close to the Potterrow Port and down the east side of the Horse Wynd, and including the Luckenbooths. Their church the middle part of St. Giles, but, till the south-east parish vacates it, to worship in the Parliament House or College Hall, as shall be most convenient ; minister, Mr Andrew Ramsay.

South-west parish : South side of the High Street from Forrester's Wynd, exclusive, down the east side of the Over Bow to the Cowgate, thence in the Cowgate to the foot of Forrester's Wynd ; the south side of the Cowgate from Potterrow Port, down the west side of the Horse Wynd to the West Port and including the College. Their church the Grayfriars Church and their minister Mr George Gillespie.

The provost, bailies, ministers, four elders and four deacons are to form each session. The bailies of the N.E. and N.W. quarters are to take in turn to attend the session of the north parish, similarly those of the S.E. and S.W. quarters the session of the south parish. Days are arranged for the meeting of each session.]

[Kirk Sessions.]

And becaus the saids sessionns ar appoynted for trying the maners of the people and appoynting of discipline both civil and ecclesiastical as occasioun serves theirfoir the provest baillies and counsell hes with consent of thair ministers agriet . . . that thair sall be no bills read upon the saids weik dayis for contributioun or supplie bot that the samen sall be heard upoun the Sundayes efternoone to be read and answerit be the provest baillies deane of gild and thesaurer conveyning ilk sabboth day efter the efternoone sermon with ane or two of the sessiones of the saids parochins as sall be thoght fittest.<sup>1</sup>

<sup>1</sup> For the previous arrangement made in 1625 see *Extracts, 1604-1626*, pp. 289, 290, 292-4.



# APPENDICES.

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## APPENDIX I.

### LETTERS FROM COURT

(1) *Mr John Hay to the Magistrates.*

(*City Miscellaneous Papers Supplementary I.*)

My verye honorable and guid lords your Lo. of the nynt offe November last I thocht fitt to answer be it selffe as ane busines concerning your Lo. in particular. I delivered the Arch[bishop] his letters to Sir Wm. Alexander as I was directed with the Copeye off his Maties lettre and principall which he tuik verye hardlie as ane busines quherin he thocht him selffe verye much wronged and thair had almost fallin out some passage which had formerlie in the busines which was no birth of his which was lyke to have maid such a rub as I feare had disturbed the whole busines. For my pairt I was to act my traist according to the commissioun contenit in your L. lettre and not to excede the bounds. In end we agreed upon the lettre quheroff I have sent ane cople to my cousyn Mr Alexr. your Lo. clerk to be seine be your Lo. which I houe your Lo. will conceale till the principall be delyvered to the lords of Secret Counsaill. I houe it is nothing differing from your instructions. As for the strenth it is all was requyred and it must have contributorie forces from the parents and first author<sup>r</sup>. I was challenged as actor off such a busines as nicht bread disturbance betwixt the members of the Colledge of Justice and the Toun.<sup>1</sup> I answered iff so I did the blame was my awin for I had no commissioun to wrong thame in any sort. It was trew that such ane busines being put on foote and motioned we were onlly meire patients in it for as it was not in our power to augment the stipends of so many our pastours upon our awin private so if the whole parochiners wald contribute we wald glaidlie for our pairt shaw our willingnes to have thame maintained with that proportioun was requisite. It wes replied thair was ane soume modified. I answered that was more then we were acquaint with and in end prayed the pairtie to be ane guid instrument in anie busines of that nature warrantable by the law of God and ecclesiasticall constitutiouns. So that I feare thair can not be such a business caried bot some oppositioun will be maid. All that could be done heir or was requyred is effectuate for thair is als ane uther lettre writtin to the lords of Sessioun concerning his Ma. pleasure thairanent quheroff yow sall also ressave ane cople be my cousyn. As for the mater of plantatioun thair is ane lettre drawin up to be signed which I expect this nicht. Iff it come

<sup>1</sup> The "business" was the question of contribution by the College of Justice towards the ministers' stipends.

your Lo. sal have it. Iff not be the nixt occasioun I sall haisten it efter to yow. I hope your Lo. will not tak it amisse if I insert the busines. Anent your magistrats and commissioners since my coming thair hes beine notice givin of some contempt or amisse in electioun of the magistrats of Hadingtoun and Kyng-horne quherupon ane lettre being to be direct to the lords of Privie Counsaill for taking ordour thairwith I delt with my lord secretarie for reforming the first errorr anent our commissioners which he hes accordingle done and the same insert in the begynning of the lettre as contened in the first proclamatioun as he confest the same to have beine omitted be neglect and the proclamatioun ordained to be renewed to see the same done in these termes and then I houe yow will find that article of my instructiouns satisfied and neidlesse jealousies removed. Iff this doe not satisfie as I think in my opinioun more can not be requyred. Let me understand the errorr it sal be amendit but I am confident it is weill since your libertie is reserved. The principall lettre is sent to my lord secretarie the E. of Melros the copye I have send to my cousyn. The rest I must crave pardoun to spare the relatioun till they be determyned for albeit I be seldome at Court yet I have not beine neglective quhen occasioun offered and must tak tymes as I find thame. Swa having no furer concerning these particulars I must close fearing my next relatioun sall bread ane more lairge discourse and commit your Lo. to the protectioun of the Almichtie and sal ever remaine.

Your lo. maist humble servitor,  
Mr JO<sup>N</sup> HAY.

Londoun, 8 December 1626.

*Endorsed*, 18 December 1626,

Productum in consilio per propositum.

(2) *Mr John Hay to the Town Council.*

(*Miscellaneous Papers*, Bundle 57, No. 20.)

My verye honorable and guid lords my dewtie maist humble premitted I receaved your letter of the daite the 5 of December instant and conforme thairto sall endeavour to doe what is in the possibilitie of my power to performe your Lo. commandements and if your Lo. thinks I goe with a slow pace I will request your Lo. charitable construction since all is not in my hand for albeit the compts was fitted and signed upon the last of November last yet ever since have I gone no furer then to agree upon the securitie which they suld ressave for thair indemnitie whairanent albeit I wald at the verye first have condescendit in the termes they ar now conceaved yet could I not move thame till counsaillouris were socht and thair advyse taiken quhair unto the deane of Rochester assisted and ehused the counsaillour for our pairt and yet quhen all was done I will assure your Lo. if Mr Johnstoun and I had not gone privatelie and put the busines to ane other we had decided the same be law for Delawney fell seick

and Terrie be mischance brek ane rib of his syid so that all was intrusted to him. So upon Setterday last efter we had ressavd the counsailours informatioun which nather pleased him nor me he and I agreed upon the termes of this band which herewith I have sent to your Lo. quherin your Lo. will see ane verye cleir conditioun which was all undesyred for I knaw nothing at this present inquesitioun bot ane actioun of thriescore twa pund persued be one Mr Harryis upon ane accompt of saxteine yeiris and some uther pettie things not amounting to ten pund striveling alledged be dyverse personis addebted to thame which if your Lo. think fitt I could wish rather composed then in defence sustaine the chaarges of law and hasard of false witnessis wheroff it is thocht that gentlewoman <sup>1</sup> being now necessitous hes no small store bot this I refer to your Lo. wyse consideratioun and advertisement for as your Lo. persaives I sall proceid. This band I have sent to your Lo. to be signed be Wm. Dick thair and heir be Mr Mureheid. Your Lo. sall thus caus fill up the daite of the day and moneth the yeir of God is alreadye filled up according to the English accompt and caus my cousyn Mr Alexander Guthrie write Sigillat, et deliverat, per Wm Dick in presentia mei Alexandri Guthrie notarij publici and adde to his subscriptioun and caus uther twa famons witnessis subscriyve as witnessis and for that quhilk is alreadye writtin sigillat, et deliberat. leave it to be filled up quhen Mr Mureheid signes and caus Williame Dick signe it with his seale and fill up the daite for thair is no necessitie to leave ane blanck since heir laite deating is no blemish in ane band. These ar all the solemnities requyret. I have promieist it sall be returned befor the 20 of January next, your Lo. will give warrand to Mr Mureheid for signing of it together with your awin band of warrandice. I offerd John Johnsoun in place of Mr Mureheid bot they told me they knew him not. We have lykewayes agreed upon the letter of attorney to be gevin be thame so that in these thair is finall agriement. The questioun now agitat is concerning the present delyverie till the band be returned quhairupon we have ane appoyntment to-morrow becaus I think it may doe guid to the saile. They offer me the Keyes. I urge possessioun of all. I sall leave nothing undone which possiblie I may to mak ane guid end. Now concerning the saile of the jewellis I am sorie that by letters it is so sone returned hither what I wrote to your Lo. and doe not think it ane tale I can shaw the writ and mak it guid. These things may doe binderance bot I must have patience for surelie I wald write more frielie if I did not understand my privatetest adverteisements ar publick heir. For me I am not suspicious of any persone who does it bot yet it is done. If your Lo. pleas I sall mak it guid for I have seene the letter writtin heir anent the offer of the saile of the jewells. They ar loath to lose tyme they goe so quick. Indeid the delyverie of the jewells befor New Yearc Day may doe much guid. I sall leave no wynd unsailed to compas it. Hf uther wayes I will think we ar the lesse beholding to the executouris. Mr Johnouns consent I have in writ,

<sup>1</sup> Franchisceta Heriot, niece and legatee under Heriot's will. See *Extracts, 1604-1626*, pp. 257, 260, 270, 275, 288, and letter from, Appendix xxxv., 17.

Mr Delawney hes promiseist, it restis onely upon Mr Terrie quha hes latelie shawin him selffe very conformable. As for your letter to John Johnstoun and David Mureheid I have not yet used it bot if they stand upon it in the interim I mynd to chaarge thame. As for the bargane it selffe I sall doe quhat I may bot as your Lo. expects I feare it sall hardlie be atcheived. As for the retributitioun of the executouris since your Lo. allowes me to proceid be the advyse of the overseers and will not intrust to myselffe I sal follow your Lo. directionns. They ar thrie I bot one; your Lo. will not lay upon me any imputatioun if it be not ansuerable to your Lo. intentionns for I will never urge more trust than it pleaseth your Lo. to think me worthie off. As for his Majestic and Buckinghames debt I sall doe as I may bot not as I would. He is blind, sees not the tymes and if I micht how can I adventure when your Lo. will have me doe nothing in so small a thing as retributioun of the executouris without the advyse of uther thrie to end the busines of that nature which ather secreteie and no small game must end or els it will choack in the hose. I am not desyrous of imployments which bread more jealousie then thanks and chieffie quher ther is not that con fiance requysit in procedioure of affaires. If it were ane uther mans caice I could say for him bot now since it is myne I will be sparing onelie I would intreate patience till I be present to ansuer for my awin actionns and I houpe I sall feare no colours. As for Archibald Prymrois debt since your Lo. gave me directionns to urge it I have spoken with Mr Johnstoun quha told me that Nathanael Uddert spoke to him for ane assignatioun to the band and offered payment which he refused to do in prejudice of your Lo. and guid toun to quhom he professis his obligatioun since it hes bene urged against the principall pairtie and guid houpe of payment, bot now since it would appeare that is objected as ane burdeyne he hes givin directioun to prosecute it against Mr Nathanael and upon payment onely to give ane discharge without ony releeffe against the guid toun. Sua that if he can have it of ather your Lo. sall not be troubled with it and to this effect hes promiseist to send his letter to John Yair. It is now in your Lo. hands to see it effected. I trust your Lo. will frie me that this motioun does not proceid from me bot onely for discharge of my dewtie to your Lo. commandements which albeit it hath bred me much private invye and malice yet am I not afraid to goe forward in the same trace so long as I have your Lo. for my warrant. I have remitted your Lo. first preamble of your letter to be last answered. I sal never wearie of your Lo. service nor to procure any guid which may give your Lo. content. Bot to stay heir till I end all the effaires concerning Mr Heriots testament I feare it sould be too long and perchance not fitt. I sall God willing before the returne of your Lo. answer doe all which can be done and if I find ane lickleihud of doing any guid I sall not wearye nather sall any malice of men quha seiks more thair awin then the publick so worke upon my passioun as they sall that way find any advantage. Bot if utherwayes tymes doe not fitt and nather sensible nor religious proffers can move I must crave pardoun for your Lo. sal assure your selffes I sall leave nothing undone that may be albeit that I sould be misconstrued so that I may tread proffit



and securitie. Some things too I wrote in my last your Lo. hes to be advysed upon and returne me your resolutiouns for albeit the executouris be letter of attornay give me power in thair name to persew the debts yet the title remains in thame thairfore since thair ar some debts which for the present can not be gottin in yet the bands may be renewed in your names to give me your warrant as namelie Sir Robert Ker and the Earl of Annendaile and some uthers of that kynd. The next to see if your Lo. will have that same course had with the Kyngs and Buckinghames gif it can be done and that we can see no better then to resolve therin yee will have me to nomynat deputies heir [as for attorneys I sall doe it the best I can be advyse of these quha understandis best the formes heir for it is bot a phantasie to think that I can end all befor my away cuming. This is now the twelf oulk since I come from home and I houpe your Lo. will not think bot I have reasoun to wearie and I knaw the murmurings about the chairges and the Lord knawis if that be any advantage to me quha both lose my tyme and proffit of that place I have under your Lo. and if I have much pleasure heir. Thair ar honest men quha can beare witnes of my toyles. The best I have to informe your Lo. is concerning the deane of Rochester quhom I find verye willing to assist all your effaires so long as he is heir in toun he hes promiseit to tak his jorney in Marche next and therefore I have not used your procuratioun. He is to goe down to the cuntrey this oulk I knaw not quhen to returne. I wald intreate your Lo. to send him ane letter of thanks for his willingnes to doe your Lo. all guid offices. He professes he is wronged in the report and that he will ever be ansuerable to the native dewtie and obligatioun he standis addebted to your Lo. I must craive pardoun if my letter be of so lairge ane extent for so effaires requyres or iff anything thairin smell of too much friedome for that is the libertie of ane honest man. In the rest I will leave ather my advyses or actiouns to your Lo. grace censure and will intreate your Lo. to keip your libertie as intere as I sall and utherwayes to doe as you list for it is not fitt that in busines conceedite to the guid toun that we should be so sillie as to think we can doe nothing without advyse of uthers quha in this caice as that which the poet sayis sat magni nominis umbra. I pray the Lord send us ane guid meting quhair these things sal be more frielie handled and some men think shame quhat they have spoken. For me your Lo. hes my hand quhat I write I sal mak guid and if your Lo. assurance that I do not intend to end my 26 yeir service with 22 abroad in any uther way than may mak your Lo. consider that I have bene am and ever sal continue

Your Lo. maist humble servant

London, 25 December 1626.

Mr JO<sup>N</sup> HAY.

If Thomas Heriot be in Galloway I pray your Lo. send ane post to him and caus him signe the dischairge I send last and returne it with the rest for they will have it. I sall caus James doe it heir.

To my verye honorable and guid lords My Lord Proveist, baillies and counsall of Edinburgh, these.

(3) *Mr John Hay to the Magistrates.*

(*Miscellaneous Papers, Suppl., Bundle 1.*)

My verye honorable and guid lords the urgent effaires of this estaite during this session of parliament hes so taiken up his Matie that till yesterday in the efternone I could not have accesse which then I had and was called be my lord Secretarie to his Matie being in his withdrawing chalmer to quhom I maid delyverie of your Lo. lettre and after he had read the same did present your Lo. service with assurance that your Lo. would ever remaine his Maties loyall subjects readye to obey his sacred commandements and withall tendered to his Matie some interests which your Lo. desyred me to offer to his Royall consideratioun and as I was beginning to the particular his Matie interrupted me saying (Bot I have something to say to yow bot goe on) so I did impairet quhat I had in commissioun and after his Matie had patientlie hard the whole particulars and had applauded to some, uthers had not so guid acceptance upon some impressioun hes beine maid bot remitted to ane reference of his counsaill heir as he was arraysing I prayed his Matie to stay a litle and since his Matie had done me that favour as let me know he had some thing to say to me that it might be his Maties pleasure to give me notice of it. His answer was I have no leasure now, to the quhilk I replied Sir I am confident your Ma. is ane guid and just prince. If thair be any thing quherin we can be justlie taxed ather in poynt of disloyaltie or neglect or can be justlie averred against any quho sent me or my selfie I am to heir and answer it and sie upon hazard of your Maties displeasure and for fault of your favour. His Ma. answer was I will not say so far of any disloyaltie bot yow may be taxed in indiscretioun. Sir said I if in that we can be taxed we sal underlie the same forfault and therfoir I will intreate your Ma. that I may be put to the tryell. He assured me he sould doe it and so dismissed me. This is all I can write to your Lo. to the quhilk I can adde nothing and so far as my memorie can serve I have maid just rehearsall of quhat past. If I had thocht that his Ma. has ressaved such impressioun I wald have bein sorie that the same sould so long have taken ruite bot it is guid to preyveine and be the first informer indeid twa dayes befor I had heiring Sir Rot Dalyell did biag that he sould put thornes in my way yet did not I conceave that he wal so reallie have vented him selfie in so idle a busines. I sall commit my selfie and my cause to God and promeis diligence and fidelitie. The issew is the Lords. And swa remembering my humble dewtie to your Lo. with assurance that I sall ever be readye to approve my selfie to be in some measure answerable to the traist your Lo. reposes in me I sall ever remaine

Your lo. maist humble servitor

Weston 1 May 1628.

Mr Jo<sup>N</sup> Hay.

(4) *Mr John Hay to the Provost, Bailies, Ministers and Council.*

(*Miscellaneous Papers*, Bundle 1496-1711.)

My verye honorable and guid lords after my arryvall at Londoun I maid delyverye off your Lo. letter to the Deane of Rochester and withall did communicate with him such effaires as were concredite to me concerning Hereots hospitall. As for your greit debtes he is [ ] out of houe that any guid salbe done as tymes ar and I doe not see any greit encouragement since albeit I have laboured with sindric. As for Mr Cereraw and his wyffe his opinion was that ane reference sould be made from his Matie to certaine at home to tak cognitioun of that effaire bot for the present he could enter no furer becaus he was to goe to the Cuntrey. This nicht I expect his returne. In the meine tyme I caused delyver the uther letter to Mr Cereraw quha therafter come to me and intreated me to visite his wyffe quha was bedfast quhilk accordinglie I did the next day and fand hir verye seik yet in the mending hand. Scho hes lying these eicht owlks bedfast and as it wald appeare of ane melanchollie for scho is of ane greit spirit and exceeding lyike in visage to George Hereot hir uncle. We conferred be twa interpreters the space of twa houris and abone till at lenth scho caused hir husband bring furth hir informations of the estaite of the cause quhilk scho had caused translate in French and Italiane. I knew the handwritt of the Scottish informatiouns. Scho wald gladlie have perswadet me it was writtin in Italic. I prayed hir to traist me and if it pleased hir I sould bring the man and mak him acknowledge his scroll for I had the contrarie to order that same hand. Scho did much lament hir awin estaite and indeid I think it is not guid. In end we have continued any furer meting till scho be in some better caice and then I sal leave nathing undone I can to end. Onely I feale hir necessitie sal mak hir come home if scho have not some supplie. Your Lo. sall de weill to devyse quhat is fittest for me. I have no mynd without your Lo. commissioun to deale in these termes. Quhen the deane returnes I sall communicate with him. As for James Hereot I have hard nothing yet from him. Swa expecting your Lo. advysements the first occasioun I sal ever remaine.

Your Lo. servitour

Weston, 3 May 1628.

Mr JO<sup>N</sup> HAY.

*Endorsed*, 12 May 1628. Produced in Council.

(5) *Mr John Hay to the Town Council.*

(*Miscellaneous Papers*, Bundle 57.)

My verye honorable and gud Lords my dewtye maist humblie preymitted I receaved your Lo. answer to my last in ane letter direct to me by my lord

proveist and baillies to the quhilk I acquiesce and sall reverence your wyse resolutioun so weill groundit upon so many sure pillars. Bot quhen I see the extreme resolutiouns of the gentlewoman and hir freinds heir and as it were ane league maid that hir uncle for his patronage and scho for hir airschip joyning hand in hand may give us the stronger assault sho will embrace no mid course bot will have all and he the disposing of quhat is in testament and inputting and outputting of officeris and pupils so that to us thair sall be ane small remaynder of obedience to his commandements I am happie that I had the deane of gild my leader els I think I sould if his virdict were to be trusted incurre ane hard censure. I have to him offered conference before any quhom he will and if be reason he can evict any thing that he sall have in peace which he hes refused and will carie all be strong hand. For hir I was resolved before the returne of your Lo. letter to chairge Burlemakie for the moneyes and since it is your pleasure I sal prosecute that resolutioun. I sal commit the end of all to the Lord. Bot if I were maister of my awin game I sould ather doe better or worse before Scoteland saw hir. I wald have consulted with the deane of Rochester bot he is not returned from the cuntrey for howsomever it wes your Lo. pleasure to give me commissioun apairt yet will I glaidlie apply my selffe to give way to those who wald rather have had it limitat to the consort of ane second. As for any uther pairt of your Lo. commissiouns I have nather afar glanced at thame then done anything. I sall wish I may be deceaved bot my feare is I be not for I can not find one quha will adventure to enter in any serious conference thairanent and James Heriot challenges ane promeis maid to him be his brother off ten thousand pund maid before his Majestie. Thair is sindrie consultatiouns bot befor they tuich us we will heare of thame. For my selffe according to the truist reposed in me I sal leave nothing unessayed to improve my selffe to the full to be

Your Lo. faithfull, diligent and humble servitor,

Mr Jo<sup>N</sup> HAY.

Westminster, 16 May 1628.

To my verye honorable and guid lords my  
lord proveist baillies ministers and counsall  
of Edinburgh, These

Produced in Council 2 June 1628.

(6) *Mr John Hay to the Town Council.*

(*Miscellaneous Papers, Supplementary I.*)

My verye honorable and guid lords I receaved your L. letter of the daite the fyft off May instant upon the fyftene of the same at nyne at nicht swa



that I houe your L. will pardoun me if I did not answer to the same before it come to my hands. As for Mr Cereraw his effaires and uthers concerning these effaires I have answered at lenth be ane severall letter to all these quha are intraisted to the quhilk I will adde nothing bot that if things since had beine carried with that secrecie as they were acted we had not beine in these broyles. It is my comfort my lord deane of gild must have preycedencie as in place of commissioun<sup>1</sup> so in censure quherof I doe not invye him albeit it pleas thame heir to sett me top as the levere at the quhilk they ayme. As for the mater of submissioun I did formerlie advyse your Lo. quhat was my mynd bot now sall follow your Lo. directiouns. For the reasouns of our actiouns they ar so pregnant as I knaw thair is nothing to answer bot his Maties will. Bot as for his Ma. letter it is all he craves that we sould come *in pari passu* with the ministers stipends in payment of the annuytie and so much I have fund be thair pulse for I caused luik the register and reade it, the acceptatioun quherof yet I feare sal militat against us in tryell of the rentall be the submissioun which for my awin pairt I sall ever eschew so far as I can. Indeid I have maintained the letter in ane uther sence and hes thus reasoned that his Ma. be that letter hes granted some favour and so it wald seeme and appeare be the words. The Commissioun itselfe did urge no more than that we sould pay the annuytie in the same proportioun as the ministers did out of thair stipends so that we had no necessitie to supplicat his Ma. favour in that and therfore that the mer [ . . . ] could infer no uther thing then ane liberationn therfra. I have beine since the arryvall of the last Companye busie for ane hearing bot all in vaine such is the tyme as the parliament upon the one hand and the publick submissiouns and resignatiouns maid therupon with the answer to certane articles hald thame all so in paine that I was advysed to acquiesce this oulk Quhat uther resolutiouns ar heir I doubt not bot they sall preveine this my letter swa expecting your Lo. advertisement quhat yow have done this last Counsaill day with my humble dewtie renewed to yow all I sall ever remaine

Your Lo. maist humble servitor,

Mr Jo<sup>N</sup> HAY.

Weston, 16 May 1628.

*Endorsed* 28 May 1628.

Produced in Counsell.

(7) *Mr John Hay to the Magistrates.*

(*Miscellaneous Papers*, Bundle 57.)

My verye honorable and guid lords thair hes latelie come to my knowledge

<sup>1</sup> John MacNacht, Dean of Gild, was appointed one of the commissioners for the town anent the revocation on 23rd Nov. 1627 (see p. 38).

sen my last writtin to your Lo. ane signature purchased be the Earle of Syfert of ane erectioun of his brugh of Barronye in the Lewes in ane frie royall brought with als ample liberties as any frie brugh within Scotland and that through the haill bounds of the Ile of the Lewes and his lands lyand foragaint the same upon the northwest quherof he is ather superiour or proprietar and als with the libertie to him to bring hame Holanders thair to trade and traffique and to plant and to fortifie ane toun and keip ane garrnesoun thairin quha sal also have libertie to tred to the east and west Indies with sindrie uther clausis therin as I am informed, quhilk he thoct to have had exped be the exchequer heir bot I fand the meanes to stay it till his cuming home. It was exped be his Matie and signed before I knew, he so cunninglie and closelie conveyed the same. I have delt both with him selffe and uthers for ane sicht theroff quhilk he hes hitherto refused swa that I have assured him I will petition his Matie for staying of it for the burrowes entres. Heirot I thoct fitt to adverteis your Lo. that your Lo. may consider how far your selfies and remanent burrowes are interest heirin and if your Lo. find any prejudice with such convenient speed as yow can adverteis such burrowes as you think fitt and be your joynt commissioners represent your interest to his Matie in such forme as your Lo. thinks fittest. For me I dar scarce adventure since I want commissioun and so doe your Lo. warrant to autoreis me for the whole bodye and to present your naiked enteres it were not so forcible for he himselffe did object to me the want of ane warrant from the whole bodye yet I have said the best I can. Your Lo. hes to consider how far the setting doun of Flemyngs thair may damage your estaite ather in private or publick. Quhat interluds hes past betwixt his Lo. and me are not unknowin heir for the haill noblemen hes beine witnessis to our discourses which I heir superseid. I have also rencountred ane uther prettie comedie. Mr Rot Mure intends to petition his Matie upon his old gift of the agentrie of the burrowes. Upon notice maid to me at my cuming heir I had stopped it, now he cuning himselffe I have divertit him and he is to returne to the conventioun of Burrowes in July nixt. Thair your Lo. may think quhat is fitt to be done. I doubt not bygane experience will be ane guid scholemaister. Your Lo. sall be assured I sall not recommend him nor any other to bring our merchands under such turnes again, these are the publike for Kennedie quherof your Lo. had neid of speidie case for I will assure your Lo. the Earle is stronglie backed and is now maid privie counsallour and is heir contracting with the Flemings for thair transport and conditiouns. I houpe to get ane coppie, iff not your Lo. sal be assured it is trew and all that I have writtin is granted and no lesse, be the quhilk your Lo. may easilie consider quhat is fit to be done I will intreat your Lo. to send the ablest men yow have to informe his Matie, for me I am burdenit ynough alreadye with malice of noblemen and it is not fitt to adde any furdur burdeine, besyids uther reasouns weill knawin to your Lo. yow sal also doe weill to speake the Earle of Marre thesaurer in that busines<sup>1</sup> and such uthers as ar thair

<sup>1</sup> For the settlement of tithes.

alreadye. Now my Lo. concerning the submissioun this morning earlie the Earle of Monteith called me earlie in the morning and asked me if I had receaved any instructiouns from the toun of Edinburgh for subscriyving the submissioun. I told his Lo. I had not. He answered me that he wald not have me to denye for the Counsall had adverteist his Matie that your Lo. had answered thame that yow had gevin me comissioun to doe quhatsoever his Matie commandit in that effaire. I replied quhen the letters come to my hand I sould obey your Lo. injunctiouns. I knew weil your Lo. was ever in his Maties desyre to doe quhat was fitting for the publick guid bot I had not understand so much that your Lo. wes myndit to sell your tythes or dimitt your superiorities and for annuytie so his Matie wald intertaine your colledges ministers and hospitall he sould have all. At twelffe at none after I come from court I receaved your Lo. letters and according as your Lo. hes directed sal obey albeit I could have wished that the same had beine more secret. As for Mr Cereraw your Lo. resolutiouns ar such as doe agrie with equitie bot some things must be accomodate to tyne, bot your Lo. are wyse knawing me to be somewhat frie that yow will not traist so much to my discretioun. I sall wish it be the best for your guid albeit I feare it prove utherwayes for thair povertie exceids in so much as they have offered to refer thame selffes simplie to me which now I dar not tak upon me nather will the deane of Rochester doe anything who is now come to toun without I preceid which I can not having no warrant, yet sall I leave nothing unessayed which may effectuat what your Lo. hes directit. As for my uther effaires I can mak no further resolutioun then formerlie I have done for things goe heir in such ane current as former tymes have not seine the lyke. Onely I will humblie intreate your Lo. to suspend your judgement of the event till your Lo. sie me quhilk I could wish to be with this letter.

My last advertisement to your Lo. is that his Matie taks jorney to Portsmouth and it is thocht to Plymouth thairefter upon Monenday next. I am not yet resolved whidder I sall follow or returne till I have the happines of his Maties favour. I am confident your Lo. will not construe my actiouns be the successe having maid so many former tryels nather will I give your Lo. too much occasioun ather of diffidence or yet of houpes so is the tymes bot of the two I inclyne to the richt hand. I can not yet complane of any nobleman heir nor uther of the Counsall bot if thair actiounes be conforme to thair promisis all will goe richt. If your Lo. sie me not schortlie yow will not heare from me in haist for if his Matie goe to Plymmouth I intend to follow. If utherways bot to Portsmouth I will attend Cereraw till his Maties returne. I have now wearied your Lo. with a long letter, the first part thair of if it be bot my feare your Lo. will pardon my error. If thair be caus your Lo. will not spare to shaw your selffes quhair I have alreadye ingadged my selffe foir your caus against so great ane partie that the busines wes so far past. As for the remanent I sal doe what I can to let your Lo. understand that howsomever aige and labour does weaken the bodye yet the spirit sall sustaine the infirmitie

of the uthir till I improve myselfe to the last breath to be

Your Lo. maist humble and obedient servant,

Mr JO<sup>N</sup> HAY.

I am glad to heare that your thesaurer is so resolnte as to command quhair he sould obey. He wes confident of ane freind befor him to excuis his erroris.

Westminster, 22 May 1628.

(8) *Mr John Hay to the Magistrates.*

(*Miscellaneous Papers, Suppl. I.*)

My verye honorable and guid lords my dewtie maist humblie preymitted his Matie having receaved the submissiouns of the nobilitie and gentrie anent the mater of the superiorities of the erectiouns and anent the haill tythes both of the erectiouns and uthers and for his annuitie out of the same missing of the same from our burrowes of quhom he did expect most fordwardnes in quhat concernes ather his Sa. Matie in proffeit or the realme in publick guid was pleased to call me quhen after remonstrance of your Lo. willingnes (for quhom onely I did professe myselfe comissioner in that particular) and zeale for the advancement of all his Maties services quhilk might ather concerne him in honour or proffeit and relating the caice as it wes at lenth he was graciouslie pleased to agree in the forme quhilk I at lenth drew up in this writ heirwith inclosed the principall quherof his Matie hath suprascryved and I subscryved till this uthir returne formallie subscryved be your Lo. befor witnessis quherof I have assured his Matie and becaus his Matie seemed to tak it hardlie that the remanent burrowes had done nothing in that kynd I intreated his Matie to be pleased to accept of the lyike of the remanent burrowes quhom I knew not to be inferior in loyaltie or obedience to his Sa. commandements to any uthir his subjects and upon notice given of his pleasure I was confident they wald give his Matie the same satisfacioun as your Lo. had done quherunto his Matie verye graciouslie consentit. I have thairfoir sent your Lo. the submissioun to be signed be your Lo. the proveist baillies deyne of gild thesaurer and your clerk befor witnesses and returned to me with all expeditioun And for the remanent burrowes your L. sal with all possible haist adverteis theme be severall messingers that they come instructed against the first of July next at thair Conventioun of Perth to subscryve the lyik as I sal bring or send to thame for all is done heir be advyse of his Maties advocat And albeit I have drawin up your awin yet he and I have not fullie agreed upon the generall quhilk your L. comissioner sal also signe thair for I am loath to have it done severallie bot thinks in my opinioun the publick deid of the Conventioun sould preyceid and then as they agree thair if the publick act doe not content to mak it in severall submissiouns and to rank fyftene or sexteine burghs in one paper quherof your L. salbe more particularlie informed ather be lettre



or be my selfe if possiblie I can. I traist it sal both give your Lo. and thame content utherwayes I salbe sorie for it is my mynd to pleas if I can. I was forced to writ all with my awin hand least the same had come to the knowledge of some quha urged his Matie to caus subscrivve the submissioun of the lords erectioun. I wes yesterday callit agane quher in presens of the Earle of Monteith and Sir Wm. Alexander I was ane large halfe hour with his Matie in his retiring chalmer quher after we had reasoned the mater of the submissioun and just reasonis quhy we nor the burrowes had not subscrivved the submissioun with the rest and his Matie contentit in that poynt then we fell on upon our signature quhilk I did justifie before his Matie and as appeared did give him full satisfacioun that thair wes no thing in it bot quhat was weill warranted. Then his Matie entered anent the fortefeing of Leyth quherin he thocht we had scorned him in deid. I prayed his Matie not to think so for the writ would witness quhat we had done and the trew caus quhy the same come bot in fuller heiring was the oppositioun maid anent the government since Leyth was ours for the most pairt and was so incorporat and annexed to our brugh as if any man could be prefferred above his Maties officers thair of necessitie Edinburgh most neids depend upon him and thairfore I houped his Matie wald not put any man thair above us. His Maties answer was that indeid he thocht it was trew bot he wald think upon it. At last he challenged our neglect in the mater of the Ile of Rae quherin at lenth he not only hard me bot examyned me upon ilk particular till at lenth he tauld me I will have Sir Robert Dalryell and yow confronted. It is my desyre Sir said I so that your Matie caus him put to his hand to quhat he sayis and I will to my answer quherunto his Matie agreed. After that thair past some speeches quhilk ar tedious to insert. As I came back to the privie chalmer thair wes Sir Robert quha began to cry out in presens of many noble and gentlemen thair swearing that he wald mak all guid that I had keiped out Sir Wm. Nisbett out of your provestrie and he wald gar me answer for keiping in David Aikinheid <sup>1</sup> quha opposed the Kings service to quhom I answered Sir Robert leave your crying put your hand to quhat yow say I sal put my hand to the contrair and justifie it befor his Matie and quhat yow can els say ather concerning the toun or proveist or my selfe So I expect to be at the first opportunitie agane befor his Matie. Bot I houpe God quho hes will assist me in my just apologie. Quhat things els past I superseid to meting. I relate to your L. things as they ar and as schortlie as I can and things not done in secreit bot so publick as I know much more sal be writtin doun for novells. It salbe against my will if I schrink albeit men of guid note hes offered to stand up against me. At last I represented to his Matie the damage we ar lyke to ressave by the Earle of Syforte his signature quhilk his Matie after some reasoning hes ordained to be retired and put in the Secretaries hand and ane cople to be gevin to me. I urged to have it ly thair till the bur-

<sup>1</sup> David Aikinhead, in his testament, dated 2nd January 1637, refers to John Hay as his cousin (*Edin. Testaments*, 14th Sept. 1637). This relationship, which, however, is not more precisely defined, may help to account for the accusation.

rowes may meit and give in thair just reasons of oppositioun. His Matie hes granted and now Syfort is working to have that recalled. In this caice effaires stand now. As for the admirall I have had lithertills fair dealing with him and as it seemes sal have and so had I neid if your Lo. knew all my pairties. I pray your L. haisten to me your advyse in all yow wald have me to doe for it is tyme I were at home and left my place to ane successour for I am wearye and thairfoir since the publick will draw up some more able men amangst quhom thair will be of your nomber I expect my missioun and till then sall studie to doe all those dewties faithfullie quhilk your Lo. may expect.

From your Lo. maist humble servitour,

Mr Jo<sup>N</sup> HAY.

Weston, 28 May 1628.

Sir Rot Ker has promest reall satisfioun conforme to his band at this terme and to write to that effect to Mr George Buitler (?). The Kyng and parliament ar this day fullie agreed.

*Endorsed*, 5 Junii 1628—Produced in consilio.

(9) *Mr John Hay to the Magistrates.*

(*Ibid.*)

My verye honorable and guid lords with much adoe notwithstanding the many oppositiouns maid I have this day receaved ane cople of the E. of Seyforts signature under the Secretarie Sir Wm. Alexr. his subscriptioun quhairof I have sent your Lo. heirwith ane cople that your Lo. may tak such course thairin as your Lo. sall think fittest. Ilk day brings the awin caire so albeit I was under verye peceable termes with the E. of Lynlithgow yet hes he caused draw up ane new signature of the Admiraltie and intends to pas it containing large liberties. I delt first with the E. him selfe bot it wald not be then I spake his Matie upon Setterday in the park quha hes promeist nothing sal be done till I be hard. Bot how far the Duik of Lennox credit may preyvaile I can not afferme. Howsomever it will not expeid till it come home and thairfoir arme yourselfes the best yea can. I sall in the meane tyme be als diligent as I can and with that small pith I have. This efternone I am wairnit to attend Sir Robert Dalzell his accusatioun which he affermes salbe weill backit with men of qualitie so much advantage does tyme furneis. Now I am bund to the staick and sal answer with as much innocencie and confidence as they oppose with contumatioun and malice and can promeis nothing bot fidelitie and trust the rest to the Lord. I am confident your Lo. will not think bot these will hold one man in busines ynough and thairfoir will pardoun albeit I goe on slowlie in uther things. I expect the returne of your submissis be the next and I sall haist to yow the publick. Swa with my humble dewtie remembered to your Lo. all I sall ever rest.

Your Lo. humble servitor,

Weston, 2 Junij 1628.

Mr Jo<sup>N</sup> HAY.

*Endorsed*, 7 Junij 1628. Productum in consilio.

(10) *The Earl of Roxburgh to the Town Council.*

(*Miscellaneous Papers*, Bundle 57.)

My weilbelovit and much esteimed freindis, I sould be verry sorie to desyre ane courtesie in anie thing so neirlye tuiching me as my credit give oppin and plane reasone did nocht approve me in it, I am forceit at this tyme to stay longer heir then ather I intendit or luikit for whiche makis me fear that I sal eum schort to keip the dewe tyme of payment at this terme in that I stand bund to yow, for the annuell of the sowme whiche my nephewe Sr William Bellenden and utheris of us his freindis with him standis addebtit to yow into. Thairfoir my desyre is that yow will nocht doubt satisfactioun bot that yow will grant the delay of the payment of the annuell dewe at this terme to my hame cuming whiche God willing sall nocht be long delayit. I think Mr Johnne Hay your clerk wha is ane ey witnes of the trewe causis of my stay, hes wrettin to yow to assist my desyre for I did acquent him with it and so he did promeis to me. Expecting this courtesie and favour of ane litill delay, yee salbe assureit to obleiss me if I find it as becumeis.

Your honest and loveing freind,

ROXBURGHE.

Whytehall the 3 of Junij 1628.

To my weilbelovit and muche esteimed freindis

The Proveist bailleis and counsall of Edinburgh.

*Endorsed*: produced in counsall 13 Junij 1628.

(11) *Mr John Hay to the Town Council.*

(*Ibid.*)

My verye honorable and guid lords I receaved your Lo. letter of the daite the 4 of Junij instant and anent Mr Cereraw I sal obey punctuallie your Lo. directionis by the quhilk I think my selffe eased of ane great burdeine. Anent James Heriot this day Mr Galloway hes shawin me his petitioun for ane cople of the dischairge and to have him restored to the patronage. I did answer the best I could. Quhat salbe the issew I knaw not. The petitioun in effect is against me. I sal answer for my selffe God willing bot I sie thair salbe no peaceable end with him. Anent Syfert I have sent yow ane cople before now and the busines is to be remitted to the 8 of July against quhilk tyme yow will be pleased to have ane particular conventioun at Edinburgh and als anent the ordinance albeit I can have no warrand for stay of his signature yet I think it salbe about that tyme befor thair be ane compleit nomber at home for excequer. As for the rest of your Lo. effaires I sall doe quhat I can albeit not quhat I would. I receaved also in the packald the submissioun bot no letter thairanent ather for to be my warrand for delyverie of the same or yet shawing

your Lo. approbatioun of quhat is done which hes maid me a little suspend my judgement quhat to doe if necessitie did not enforce me to delyver it up. I have studied to pleas, if utherwayes upon your Lo. adverteisment I sould have laboured to amend my errorrs. Your Lo. sall receive heirwith inclosit the cople of the submissioun to be signed be the Burro wes and of the act of conventioun also. I am confident your Lo. hes adverteist the burrowes for so the Kyng commandit me and I did give your Lo. remonstrance. Iff any faile I houe your Lo. will frie me for I assure your Lo. his Ma. is verye punctuall in his services and will have accompt of quhat he commands. And I have sustained heir so many contestatiouns that I will be louth his Matie sal find me neglective of so publick a directioun. Iff it were no more bot for the publick guid I am perswadit your Lo. will not omit any thing may tend to the satling of that busines. Upon the ellevint of this instant St Robert Dalyell and I were callit in before his matie in presens of chancellour [More] Menteith and Secretarie. I was accused upon the toms part of neglect of dewtie, upon the proveists that he had put away those quha offered thameselfes and that with manassing, upon my awin that I wes the insent that Sr Wm. Nisbet was not chosen quha was able and verie willing to do the Kyng service then any uther and of the electing of David Aikinheid quha wes averse from the Kyngs actiouns and advancing of his services and against the acts of parliament continued. I did answer the best I could and I thank God in that sort as gave his Matie content. Quhosoever goes wrong I am sure the guid toun proveist and I goes wrong at leist it hes beine deiply plotted be them I can not tell bot that it was is evident ynough at Court. Bot since it wes his Maties pleasure that we sould be agreed before him I behove not to be liberall in my discourse, only his Matie gave me ane kisse of his hand in token he was weill pleased with the guid toun. Now my lords I intreate your Lo. to pardoun me if in any thing I have erred or sal for your Lo. sal be assured I sal omit nothing within the compas of my power and if I were your Lo. must mak charitable constructioun till I sie your Lo. Then I houe to give your Lo. satisfactioun. I sal doe diligence to be at home against the first of July if not against the eight God willing and so committing the rest to meeting I sal ever remain your Lo. maist humble servitor.

Mr Jo<sup>N</sup> Hav.

Westminster, 13 June 1628.

To my verye honorable guid lords my lord proveist, baillies and Counsaill  
of Edinburgh, These.

*Endorsed* : 25 June 1628, productum in consilio.



## APPENDIX II.

## DEATH OF THE MINISTER AT CAMPVERE.

*(Miscellaneous Papers, 209, No. 7613.)**(See p. 7).*

Right honorable

Our service presentit. It hes pleissit God to call to him selff our worthie pastour and minister, Mr Alexander McDuff, quha haiveing contractit the feveris upone Mononday the 14 of September instant lay bedfast quhill Tysday was ancht dayis thairefter and about 5 houris efternone deceissit this mortall lyfie to our greiff and sorrow, And throuche his deceis we are now at this present destitute of ane pastour for the serveing the cure at our kirk heir. Quhairby we and the merchands skippers and mariners of the natioun resortand heir wantis the frute of edificatioun of preching and celebratioun of the holic sacramentis to our great discomfortis. And we being maist willing in respect the said place vaces be the said umquhill Mr Alexr deceis to have ane uther sufficient and qualifiet persone to serve the cure at the said Kirk we have thairfore resolved for your Lo. selffis and in name and behalff of the Royall burrowis of the realme of Scotland to wrett to your Lo. notifeing the deceis of the said umquhill Mr Alexr. and als maist earnestlie intreatting your Lo. of new to try out and elect ane uther with sic convenient diligence as your Lo. sall think fitt to the effect we and the remanent of the natioun resortand heir may haive occasioun upone the Sabbath dayis and uther weik dayis to conveyne in the said churche conforme to the accustomed ordour sua assuring our selffis your Lo. will have ane singular cair anent the premis and als that your Lo. will gif us advertisement heiranent with the fust occasioun we comitt your Lo. and all your effairis to the tuitioun of the Almightie.

Your Lo. servitors the factouris undersubscribeand  
residenteris at the staple port of Campheir,  
(Signed) Samuel Wallace, Conservator Deputt.

Hector Patersone, Williame Weir, elder.  
Thomas Ewing, elder, David Porterfeild, deacon.  
David Peiblis, deacon, Robbert Balty  
James Weir, T. Cunynghame.

Campheir the 29 day of  
September 1625, *stilo novo*

To the Right honorabill the Provost, baillies and Counsell  
of the burgh of Edinburgh.

## APPENDIX III.

(1) *Letter from James Lennox, factor at Camphere, resigning office.*

(*Miscellaneous Papers* 209, Nos. 7614-5.)

(See p. 17)

Richt Honorabill

My dewtie and service rememberit, it will pleis your Lo. understand that the factouris letter directit be thame to your Lo. will gif your Lo. sufficient informatioun of the late deathe of our worthie minister umquhill Mr Alexander McDuff And how the church heir at this tyme in respect of his deceis is destitute of ane pastour And of thair willingnes that your Lo. selffis and in name of the Royall burrowis of the realme of Scotland wald of new sufficientlie plant the samine agane as your letter at lenth will beir. And now for my awin pairt in respect of the said umquhill Mr Alexander his deceis and for certane utheris grevances moveing me I have emboldenit my self to wret to your Lo. for your Lo. selffis and understanding power grantit be the said Royall burrowis to your Lo. to deall in all effairis concerning your Lo. To give your Lo. notice and sure advertisement that I will no langer serve nor uplift no dewties at the staple port of Campheir nor to the first day of Maij nixtocum i<sup>3</sup>vj<sup>o</sup> tuentie sex yeiris ; Against the quhilk tyme (in respect forsaid) it will pleis your Lo. to try out sun uther persoun for serving in my said place and assures your Lo. I will uplift no dewties efter the said day nather sall I anyways stand oblist nor comptable for the samine thairefter. In the meantyme it will pleis your Lo. advertis me (nochtwithstanding of the said umquhill Mr Alexander his deceis) quhidder or not the dewties accustomed salbe upliftit to the use of the minister, and if the relict of the said umquhill Maister Alexander for hir self and help of hir fyve young childrene sall ressave fra me the said stipend quarterlie quhilk was dew to hir said umquhill husband quhill the first day of Maij nixtocum. And als quhat your Lo. will do concerning the reader quha serves heir for the present, and of his satisfacioun during that tyme and if your Lo. will suffer him to remayne in service for reiding of prayeris upon the Sabbath day, unto the tyme the said Kirk be of new plantit.

This yland and evill vapours thairin, and the deceis of manie persones heir of the miserable disseis of the Flanders fevers and utheris great diseases and seiknes continuallie fleand abrod heir forces me to recall myself hame for my health, and utheris my particular adois thair. And sua being willing in the meantyme to gif your Lo. dew advertisement anent the particulars foirsaid, to the effectis abonespecifeit I certainlie (God willing) determinis and concludis in maner abonewrittin expecting your Lo. answer heiranent with the first occasioun Recommends your Lo. and all your honorabill effears to the protectioun of the Almichtie.

I rest your Lo. servitour

Campheir the 29 day of  
September 1625, *stilo novo*

JAMES LENNOX.

To the right honorable My lord Provost, baillies and counsell  
of the burgh of Edinburgh.

(2) *Letter from James Lennox, factor at Campvere, on the matter of his resignation.*

Richt honorabill

My service presentit, I did wret to your Lo. ane letter daittit the 25 of September last quhairin I did notice to your Lo. of the deceis of our pastour Mr Alexr McDuffe And in respect of his deceis and many uther grevances moving me, that I wald no longer serve nor uplift no dewties heir nor the first day of Maij nixtocum and did intreat your Lo. wald advertteis me (nochtwithstanding of the said umquhill Mr Alexr his deceis) quibidder or not the dewties accustomed sould be upliftit to the use of the minister And als if the relict of the said umquhill Mr Alexr for hir self and the help of hir fyve young childrene, sould ressave the said stipend quarterlie quhilk was dew to hir said umquhill husband whill the first day of Maij nixt and quhat your Lo. will do concerning the reider hein and his satisfiactioun during that tyme with certane utheris particulars conteynit in my letter as the same at mair lenth will bear, bot as yitt I have ressavit no answer thairof from your Lo. Thairfore I have of new writtin this my letter to your Lo. intreating your Lo. to send me ane answer of the particulars conteynit in my former letter And that your Lo. for your Lo. selfis and the haill Royall burrowis of Scotland agane the first day of Maij nixtocum wald try out sunn uther persone to serve in my place becaus I am resolved for my awin part God-willing nawayis to remayne any langer heir nor the said first day of Maij nixt at the leist onnawayis to be any farder answerable for intromissioun with the saids dewties nor the said day. Quhilk answer I expect of your Lo. with the first occasioun (utherwayis with your Lo. favour) now as than and than as now I simpliciter dimitt my said place And sall nawayis stand any furder subject in intromissioun nor uplifting of any dewties heir nor be comptable thairfoir efter the said day. Sua for the present committing your Lo. and all your honorable effairis to the protection of the Almightie I rest

Your Lo. servitour,

JAMES LENNOX.

Campheir the 18 November

1625 *stilo novo*

To the right honorable My Lord Provost Baillies  
and Counsell of the burgh of Edinburgh.

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#### APPENDIX IV.

(1) *The High Constable.*

<sup>1</sup> *Transumpt of his Commission to the Town.*

(See p. 58).

At Edinburgh the nynt day of Julij the yeir of God j<sup>m</sup>v<sup>o</sup> foure score twa yeiris Maister Eduard Henrysoun doctoure in the lawis Alexr Sym and Johnne

<sup>1</sup> Taken from the copy of the transumpt, inserted in the town's first charter book, compiled by Alexr. Guthrie, Common Clerk, second of that name.

Prestoun advocattis commisseris of Edinburgh anent the Edict intentit and persewit befor the saidis commisseris be ane noble and potent Lord Andro Erle of Arroll Lord Hay constabill of Scotland aganis the provest and baillies of Edinburgh to heir ane writting of the dait the sevintene day of Februar the yeir of God i<sup>Mc</sup>v<sup>c</sup> sevin yeiris maid under the seill of caus of Edinburgh Beirand the provest baillies and counsell of Edinburgh for the tyme obleist and thair successouris that they in nay tyme to cum suld do na preiudice hurte or skayth to umquhile Williame Erle of Arroll constabill furth of this realme for the tyme in the said office of constabularie Bot suld advance the privilege honoure and profite thair of at thair gudlie and possibill power and suld not be the halding of any courtis other borrow courte scheref courte or watter courte derogate or minsche the facultie or privilege of the said constabill courtis be na maneir of way And that thai suld nother sit nor know nather upoun actioun of blude or troubleance committit be ony partie or ony maner of persouns The Kingis Matie being in the said toun of Edinburgh or within foure mylnis thairabout as the saids lettres maid thairupoun under the commoun seill of caus of Edinburgh at mair lenth proportis; the said nobill Lord Andro Erle of Arroll thinkis necessar that the said writting under the said seill of caus of Edinburgh wer transumit be the saids commisseris and auteklie copyit and full fayth to be gevin to the autentik copie thair of in all tyme cumming as effeiris as at mair lenth is contenit in the said precept the said Andro Erle of Arroll compeirand be Mr Henrie McCalyeane his procuratour and the saidis provest baillies and counsell of Edr be Alexr King thair procuratour The said commisseris be thair decretit decernis and ordanis the said writting of the dait above writtin to be transumit and autentiklie copyit and full fayth to be gevin to the autentik copy thair of in all tyme cumming of the quhilk writting the copy followis We the Provost baillies and counsell of the burgh of Edinburgh bindis and obleissis us faythfullie to ane Rycht nobill and mychtie Lord Williame Erle of Arroll Lord Hay constabill of Scotland forsamekill as he hes constitute and maid us provest and baillies fairsaidis and our successors that salhappin to be for the tyme his deputis in the office of constabularie for the terme of thrie yeiris nixt efter the dait heirow and thairefter for his will to endure as his writting maid thairupoun proportis that heirfor we obleissis us and our successors fairsaidis that we nor they sall in na tyme to cum do ony preiudice hurte or skayth to the said Lord in his said office of constabularie bot sall advance his privilege honour and profite thair of at all our gudlie and possibill powar and sall not be the haldin of ony courtis pertening to us ather burrow courte or scheref courte or watter courte derogat or minsch the facultie or prevelege of the said constabill courtis be na maner of way but fraude or guyle and als we sall nocht sitt nor know nother upoun the actioun of blude nor troubleance committit be ony partie or ony maner of personis The Kings hienes being in the said toun of Edr or within foure mylnis about Bot be autoritie of the said constabill courtis and gif we do that being notourlie knawen done of wilfulnes and nocht of ignorance the said deputorie grantet be him to us be expyret and nochtwithstanding that our said lord constabil hes gevin to us the unlawis



and escheit of courtis and barras with all thingis pertening thairto to our owne use That gif his Lordschip happinis to [be] present he to remitt and forgif thairof quhat it pleisis him indureand all the tyme that we are deputis to him In witnessing heiroyf we gart affixt to the present lettres subscriyvit with a pairt of oure handis oure seill of caus of the said burgh the sevintene of Februare the yeir of God j<sup>m</sup>v<sup>o</sup> and sevin yeiris *Et sic subscribitur* Alexr Lauder provest of Edr George Touris Wm Hopper Rot the Brois baillie Wm Clerk Becaus the provest and baillies being lauffullie summoned to haif hard and sene the said writting of the dait abovewrittin to be transumet and autentiklie copyet and full fayth to be gevin to the autentik copy thairof in all tymes cumming or ellis to haif schawin ane ressonabill caus quhy the samyn suld nocht be done with certificatioun the said commisseris wald decerne the same to be transmit in mane above specifiet compeirand be Alexr King thair procuratour as said is Quha schew na caus in the contrair as was cleirlye knawin to the saidis commisseris In witnes and certificatioun heiroyf all and hail commisseris to this present transumpt subscriyvet be Johne Johnestoun clerk of the commisseris The seill of office thairof is hung day year and place foirsaid.

(2) *Letters of Charles I. anent the Office of Constable Depute.* 12 Aug. 1629.

Charles be the grace of God King of Greate Britane France and Ireland, defender of the faith To our lovites George Gordoun messenger or schereffes in that pairt conjunctlie and severallie speciallie constitute greating. For-samekill as it is humblie meanit and schawin to us be our richt traist cousing Williame Lord Hay That quher he is dewlie and heretable infett and seasit in the office of Constabularie of this our realme of Scotland with hostilegies therof haldin immediatlie of us as the infettment of seasing maid to him thair-upon at mair lenth propors Be vertew quherof our said richt traist cousing hes not onlie guid and undoubtit richt in and to the foresaid office of Constabularie and to use and exerce all jurisdictionns priviledges and liberties pertaining and belonging thairto and to intromet with and uplift the hail casualties thairof Bot also sufficient intres to remove all impediments that may onyways appear to stop hinder or prejudge him in the peaceabill bruiking and joycing using and exerceing therof And trew it is that the said our richt traist cousing his predecessours heritours of the said office for the tyme be the richt priviledge and jurisdiction of the said office have bein in use and possessioun of haulding of courts and ministering justice be thame selffis thair deputs and substitutes upon slauchteris bluid mutilationes debatis of barres committit within our burgh of Edinburgh and within the space of four mylnes about the samen and to make and constitute deputs ane or mair for exercing of the said priviledge and jurisdiction of the said office and speciallie of giving and granting of deputs ane or mair to the provest and ballies of our said burgh of Edr for the tyme for halding of courtis upon the foirsaid crymes and offences as deputs to his said predecessours in the foirsaid priviledge and jurisdiction of the said office

of Constabularie Notwithstanding quherof as our said richt traist cusing is informit the present provest and baillies of our said burgh of Edr pretending thame to have richt to the foirsaid office of Constabularie or sum deputis grantit to thame or thair predecessours thair of Be our said richt cusing or his predecessours haldis courtes of Constabularie upon slaughters mutillationes bluids and debates of barres committit within our said burgh of Edr or within the space of four mylnes about the samen albeit they have na sufficient rycht nor titill sua to do quherthrow of all equitie and reasoun it aucht and sould be fund and declarit be decretit of the lords of our counsall and session that the undoutit rycht of the said office of Constabularie of our said haill realme of Scotland with all privilegedes liberties immunities casualities profitis and dewties pertaining and belonging thairto and specialie but prejudice of the generalitie foirsaid That the foirsaid privilegedes and jurisdictiones of haulding of the said Courtes and ministratioun of justice upon all slaughters bluids mutillationes and debatis of barres committit within our said burgh of Edr or within the said space of four mylne about the samen and the haill unlawis amerciaments and escheates of the said courtis properlie and onlie pertains and belangis to our said richt traist cusing his airis and successours and thair deputis and substitutes to be depute and substitute be thame and that the saids provest and baillies of our said burgh of Edr have na rycht to the said office nor na power nor privilegede to hald courtes within our said burgh of Edr nor in na uther pairt nor place nor minister justice upon na slaughters bluids mutilationes nor debattis of barres pertaining to the said office of Constabularie And the samen being sua fund and declarit the said provest and baillies of our said burgh of Edr and successours aucht and sould be decernit be decretit foirsaid of our saids lordis of our counsall and session to desist and ceis from all farder using and excerceing of the said office of Constabularie or of the privilegedes thair of abonewrittin nor anie uther privilegede libertie or jurisdictione of the samen as is alledgit.

OUR will is heirfoir and we charge yow that ye lawfullie summond wairne and charge the said provest and baillies of our said burgh of Edr personallie and at thair duelling plaices and the remanent counsall and Communitie of the said burgh Be opin proclamatioun at the marcat cros of the said burgh becaus thay ar ane multitude or anie uther haveing or pretending to have entres in the said matter be opin proclamatioun at the marcat croce of our burgh of Edr To compeir befor us and our counsall at Edr or whair it sall happin us to be for the tyme the first day of November nixtocum in the hour of caus with continuatioun of dayes to answer at the instance of our said richt traist cusing That is to say the said defenders to heir and sie it be fund and declarit Be decretit of our saids lords of our counsall and session that the said undoutit richt of the said office of Constabularie of our said haill realme of Scotland with all privilegedes liberties immunities casualities profits and dewties pertening and belonging thairto and specialie without prejudice of the generalitie foirsaid that the foirsaid privilegede and jurisdiction of haulding of the said courts and ministratioun of justice upone all slaughters Bluides mutilatiounes and debattis

of Barres committit within our said burgh of Edr or within the space of four mylnes about the samen and the haill unlawis amerciaments and escheattis of the said courtes properlie and onlie pertainis and belongis to our richt traist cousing his airis and sucessours and thair deputes and substitutes to be depute and substitute be thame That the saids provest and ballies of our said burgh of Edr have na richt to the said office nor na power nor priviledge to hauld courtes within our said burgh of Edr nor in na uther pairt nor place nor to minister justice upon na slaughters bluids mutilationes nor debatis of barres nor utheris pertaining to the said office of Constabularie and the samen being sua fund and declarat the said provest and ballies of our said burgh of Edr to heir and sie thame and thair sucessours be decernit be decreit foirsaid of the saids lords of our counsall and sessioun to decist and ceis from all farder using and exerceing of the said office of Constabularie of the priviledges thair of abonewrittin or anie uther priviledge libertie or jurisdiction of the samen According to justice . . . Given under our signet at Edinburgh the tuelf day of August and of our reigne the fyft year 1629. (*Ex deliberatione dominorum consilii.*)

(6) *The King's Letters to the Privy Council anent the High Constable.*

Right trustie etc., Whereas according to our Commission of the first of July 1631 directed to certayne commissioners for trying what priviledges and dignities belong to the office of high constabularie of that our Kingdome report hath been made unto us of what is justlie due unto the said office, wee doe approve the same but understanding that there are other dignities and charges which doe belonge unto our high Constable at the tyme of our coronation which he alleadgeth doeth lykewayes belong to his office yow may knowe by that pairt of the booke of coronation marginedo, which he will produce unto yow, wherein you will find particularlie mentioned what he thinks doe belonge unto him. Our pleasure is that you take the premisses unto your serious consideration, and if yow find his allegations to be true that you authorise him for discharginge of the same, and whatsoever else yow find to be due unto his place that no hinderance or trouble be in the execution thereof at our being there. We bid yow fairewell frome our Court at Theobalds the 11 of May 1633.

*Endorsed* Vera Copia. Walt. Neish.

(7)

(*See* p. 97).

Right trustie and welbeloved Cousen and Counsellour, right trustie and welbeloved cousens and counsellours, right trustie and welbeloved counsellours And trustie and welbeloved counsellours wee greet yow well Whereas by our letter unto yow of late we were pleased to approve the Certificat that was returned unto us concerning the office of our high Constable remitting to your

serious consideration the justnes of the allegationes therin containned being since enformed by the commissioners of our free burrowes, that they are likely to be verie much wronged thereby as wee desire not to derogate any way from the said office in what is justlie due thereunto So it is no way our intention to prejudge any of our said burrowes in their lawfull rights granted by our Royall progenitors unto them. It is our pleasure that yow call their commissioners befor yow, and haveing heard their objectiones in the said matter in presence of the other partie if yow shall find their differences to arise upon their rights and possessiones That if ye can ye can compound the differences betweene them or if ye can not then to report to us the true estate of the busienes with your opinion what is to be done upon it at our Comeing, in so far as concernes the saids differences [or remit the same to be tryed by the judge competent conforme to our former letter writtin to you thereanent of before]<sup>1</sup> Which recomending unto your speciall care wee bid yow fairwell from our Court at Theobalds the 24 of May 1633.

*Endorsed* Vera copia, Walt. Neish.

(8) *Letter of the Privy Council to the King.*

Most Sacred Soverane

The erle of Erroll as Constable of this Kingdome having upon the production of his rights formerlie made before us recovered twa decreits agains the toun of Edr dischargeing thame of all judgeing and censuring of anie slauchter blood or ryot committed within foure mylles of your Maties person parliament or counsell for anie thing that was then seene And that in respect of the toun of Edr thair refusall at that tyme to produce thair rights for instructing thair clame to the jurisdiction foresaid, with reservation alwayes of thair action and defences competent to thame of the law They have now raised ane suspension of the saids decreits and for vindicating the liberties and priviledges alledged be thame to be dew to thair place and office thay exhibite before us certaine evidents and infetments humblie protesting seing the poynt in question wes civill concerning thair heretable rights that the tryell and decision thair of might be remitted to the lords of session judges competent thairto upon the production of the which writs the constable craved prooes and contendit that your Matie and the counsell wer proper judges in caises of this kynd toucheing ane office of the crowne and hes beene customablie observed by your Maties royal father and others your Maties predieessors. Quherunto it wes replied be the toun of Edr that in matters concerning your Maties propertie the Lords of Session are onelie judges and so aucht to be

<sup>1</sup> The passage within brackets has been erased. This brings out an interesting point, in so much as the Town Council claimed consistently that the case between themselves and the Constable should be tried, not by the Privy Council, but by the Court of Session.



acknowledged in this particular betwixt and subiect and ane other. In respect of the which declinator thus proponed agains us and of the extract of ane letter directed be your Matie to the Lords of session [which wes produced be the constable] willing thame to forbear all proceeding in this matter, till your Maties further pleasure wer knawen we have continewed this matter till the first counsell day of Junij nixt, and have heirby thought good to acquaint your Matie thairwith to the intent your Matie after the consideration of the estate of the bussiness, may signifie your royall pleasure how and in what maner the same sall be ordered and what your Matie sall be pleased to command heirin sall be with all dewtifull respect readilie obeyit. And so etc from Edr 29 Martii 1634. *Sic subscribitur* J. Kinnoull, Hadinton, Glasgow, Mairshell, Wintoun, Roxburgh, Lauderdaill, Sowthesk, J. Hay, Thomas Hope.

*Endorsed, Vera Copia.*

#### The Kings Matie

Richt etc. We understand that the Toun of Edinburgh haif intentit ane actione befor yow tuiching the priviledges of the office of heich constabularie of our Kingdome, for trying quherof we wer pleasit not long ago to grant a commissioun seing it is a purport quhich in honour doeth verie much concerne the estait of that our ancient Kingdome, We are resolved if thair be any just mater of complaint against the procedings alreddie usit thairin by our counsell to tak the same unto our awin serious consideration, And thairefter to give such farder ordour thairin as we sall find caus. Thairfore our plesour is and we do will and requyre yow not to proceid or medle in that actione unles you salbe particularle warrandit by us. We bid yow faireweill from our Court of Quithall 16 October 1633. Directed to the Lords of Sessione Red the 5 December, being productit be the erle of Erroll. The lords declarit they wald haif consideration of the desire of the bill quhen the perseweris suld insist to call this actione.

#### (15) *Charge by the High Constable for the production of Mr Thomas Lamb.*

Gilbert Earle of Arrol lord heighe constabill of Scotland and Johne Earle of Kinghorne my tutor testamentar in my name in respect of my pupillaritie To our lovittis James Leslie messenger our offeciars and serjandis in that pairt conjunctlie and severallie speciallie constitute greiting. Forsamekill as it is humblie meanit and schawin to us be our lovitt William Downie wryter in Edr our Procurator fiscall for his intres in the mater eftirspezifiet That quher umqll Johne Tutop sone to Arthoure Tutope sledder in Leith being yesterday the last day of Julij last bypast betwix Leith and Edr in a peaceabill and quyet maner haveing no feare or dread or of any danger of any persoune quhatsumever but being attending and keiping certane cornes committit to his custodie betwixt Leith and Edr and finding Mr Thomas Lamb lait minister amongs the said cornes and haiveing reproved him for the samyn The said Mr Thomas Lamb without ony further fell upon the said umqll Johne Tutop drew

ane whinger and stobbit him thairwith Be the quhilk stobb or wound the said umqll Jon hes depairtit this lyff sensyne Quhairupon the said Mr Thomas wes presentlie apprehendit in the verrie act of killing the said umqll Johne and put in waird within the tolbuithes of Leith and Edr or ane or uther of them quher now he remaines And as the said cruell and merciles murther being sua committed be the said Mr Thomas Lamb upon the Lords day is ane fact so cruell and abominabill that it merites sumare and exemplar punishment to the death So the said cryme and cruell murther is onlie judgabil and punishabil be us as heich constabill of this Kingdome and our deputtis as onlie Judges thairto as being committit neare the heich court of parliament and dureing the sitting and meitting of the estaitis of this Kingdome in parliament And therfor the said Mr Thomas sould be citted and attached befor us as heich constabill and our deputtis to underly the law for the said cruell murther and slauchter conforme to the lawis of this kingdome Theirfoir it is our will and we chaarge yow that incontinent this our precept seine ye pase and in our soverane lords name and ours as heich Constable forsaid and lawfullie command and chaarge the said Mr Thomas Lamb to compeir befor us and our deputtis ane or more conjunctlie or severallie within the tolbuith of Edr upon the thrid day of August instant in ane Constabill court to be haldin be us and our deputtis theirin at ten houres in the foirnoone to underly the law for the forsaid cruell murther and slaughter committit be him in maner forsaid And als that ye in our soverane Lords name and ours lawfullie chaarge the provest and bailyes of Edr and bailyes of Leith or ane or uther of them within whais wairding place he is detained to exhibit and produce the said Mr Thomas befor us and our deputtis ane or more within the said tolbuith of Edr the said thrid day of August instant in the houre of cause forsaid to underly the law for the cruell murther and slauchter above specifiet under all hiest paine and chaarge ther-effer may follow. And als that ye in our soverane Lords name and auctoritie and ours as heich constable forsaid Inhibit and dischaarge the saids Proveist and bailyes of Edr and bailyes of Leith and all uther Judgis within this Kingdome fra all ceitting attaching arreisting cognoscing tryeing or punishing of the said Mr Thomas for the forsaid fact and cryme and of their offices in that pairt as they will be answerabil upon the hiest perrell quhill the same be cognoscit tryed and punished be us conforme to the lawis of this Kingdome mak and intimation and certificatioun to them as effeiris Attoure that ye trewlie summond wairne and chaarge the persones of inquest eftirspezifiet viz. . . . to compeir before us and our deputtis ane or more conjunctlie or severallie the forsaid day and plaice in the houre of caus to pass upon the assye of the said Mr Thomas Lamb, ilk persoun under the paine of fourtie punds money and this onawayis ye leive undone As ye will answer to us therupon the quhilk to do we committ to yow conjunctlie and severallie our full power be this our precept seallit with our seall and subscrivit be Johne Sempill wryter to the signet our clerk of court At Edr the secumd day of August 1641.

(Signed) J. LESLIE messinger.

## APPENDIX V.

## (1) CANDLEMAKERS OF EDINBURGH.

(Box II., Bundle 7, 12).

(See p. 43).

Apud Edinburgh Septimo Martii j<sup>m</sup> vj<sup>c</sup> vigesimo octavo

The Quhilk day The provest baillies and counsell being conveynit anent the complent maid be Johne Hardie candlemaker Aganis Johne Bruntoun and David Burne candlemakers makand mentione that quhair the said complener being admitted burges and frieman of this burgh and be vertew thair of haveing frie libertie to mak candle and use the tred thair of the samyne being commone to all burgesis The saidis defendars be thair manassing and boasting the complener and be undirect meanis debarring him frome the use of the said tred forced him to come before ane number of the said tred and pay to theme the sowme of fourscoir maks by and attour the sowme of twentie marks expendit in drinking and uther small chairges to the gret impoverishment of the complenar and his utter undoeing he being ane poore man not haveing so muche money till he borrowed the samen upone annualrent And thairfor desyrand your Lo. to caus the said Johne Bruntoun quha callit himself deacone and the said David Burne ald deacone redelyver the said sowme of fourscoir marks to the said complener to be usit be him as his proper guids and geir The saidis Persewars and defendaris compeirand personallie this day in Judgement befor the counsell Thair allegiances hard and considderit and the provest baillies and counsell being ryphie thairwith advysit the saidis provest baillies and counsell decernis and ordainis the saidis defendars to redelyver to the said complener presentlie the soume of fourscoir marks ressavit be thame frome him in maner abone writtin or ellis to enter thair persone in ward thair to remayne ay and quhill they produce the same befor the counsell To the effect the samyne may be delyverit to the said complener as als the saidis provest baillies and counsell tak ordour with thame for usurping the office of ane deykin the candlemakers not being ane frie tred nor they authorized be the Counsell conforme to the custome observit those fourtie fyve yeires and abone.

*(Extractum de libro consilii.)*<sup>1</sup>

## (2) CANDLEMAKERS OF EDINBURGH.

(Box II., Bundle 7, 13.)

AT HALYRUIDHOUS the last day of Marche the yeere of God i<sup>m</sup> vj<sup>c</sup> and twentie aucht anent the complaint made to the lords of secreit counsell be Johne Bruntoun deacon and David Burne elder candlemakers burgessis of

<sup>1</sup> But this particular act has never been inserted in the Council Minutes.

Edinburgh makand mentioun that whair upoun the sevint of Marche instant the proveist and bailleis of Edinburgh without respect to the saids compleaners great age decrepit and infirme persouns caused thair officiars apprehend thame and committ thame to waird within thair Tolbuith without anie cryme or offence committit be thame decreitt or sentence pronounced agains thame and without the complaint of anie partie And they keipe and deteane the saids compleaners verie straitlie in this waird as yitt notwithstanding of thair severall petitionis givin in unto thame desyring to know the caus of thair imprissonment and that thay aueht to be admitted and heard to speake for thameselfies whilk is refused to the compleaners agains reasoun and justice And anent the charge givin to the saids provest and baillies of Edinburgh to have compeired brought presented and exhibite the saids compleaners before the lords of privie counsell at a certane day bygane to have answered to this complaint and to have heard and seene thame decerned to have putt the saids compleaners to libertie and freedome and to have suffered thame pas whair they pleased or ellis to have shawin a caus why and that they sould have compeired brought and exhibit the saids compleaners in maner foresaid under the paine of rebellion and putting of thame to the horne with certificatioun to thame and they failyied letters should be direct simpliciter to putt thame thairto lykeas at mair lenth is conteanit in the said complaint executiours and indorsatiouns thair of quhilks being callit and the saids persewers compeirand personallie they being brought and exhibite before the saids lords be the saids defenders for obedience and satisfacioun of the charge givin to thame for that effect and the saids defenders being lykewayes personallie present be whome it wes ansuered that the saids persewers wer verie laughfullie and ordourlie committit to waird by a decreit and sentence of the counsell of the said burgh proceeding upone a complaint made unto thame be Johne Hardie candlemaker agains thame for extorting fra him of the sowme of four sore of merkes by and attour the sowme of twentie merkes spent in drinking and for thair refusall to redelyver the said sowme backe againe to the said Johne Hardie . . . Quhairunto it wes replyed be the saids persewers that the sowme foresaid tane be thame fra the said Johne Hardie wes frielie and willinglie givin be him to thame for thair ressaving and admitting of him to be a freeman of thair craft they having the priviledge and freedome of a deacon by ane gift grantit unto thame be the provest baillies and counsell of the burgh of Edinburgh for the tyme under thair seale of caus whilk wes ratified be our lait Soverane Lord of blessed memorie be his patent under the Great Seale and that according thairto they have beene in use to have a deacon and to resave and admitt friemen of thair craft unto the quhilk.<sup>1</sup>

<sup>1</sup> Although never accounted one of the separate crafts of the Town, the Candlemakers had a seal of cause dated 5th September 1517. The ratification, alluded to above, is not recorded in the Council Minutes. The entry breaks off abruptly.



## APPENDIX VI.

THE FORME AND ORDOUR OF TEACHING AND PROCEEDING OF THE STUDENTS  
IN THAIR Foure YEIRES COURSE IN THE COLLEDGE OF EDINBURGH.<sup>1</sup>

(See p. 51).

The new intrants cuming to the Colledge soone efter Michaelmes are exercised in Latine Theames everie day and in turning sum of pairt of Cicero or any uther Latine authour into Inglisch haiveing the samin examined be thair Regents who in the meane tyme teacheth theme sum pairt of Cicero or sum uther guid writter for thair better exercise in the Latine Tongue whill they have ressavit the commoun Theame.

After the ressaveng and public reiding of the commoun theame the regent immediatelie begins to teache unto theme the Greik grammer exerceising theme thairin continuallie till he haith proceidit to annotatiouns *in nomina vel in verba* and he conjoyns with it sum practise in the New Testament, or in Isocrates, and the Greik grammer being endit, he teacheth some Orationes of Isocrates and thrie or four buiks of Homer for the Greik poesie with some Eidylla Theocriti or some uther portione of *minores poete*.

About the fyftein of Maij he begins to teache Ramus his dialectek which tyme also the Regent sall begin to give sum short theams to turne in Greik for thair exercise in the Greik language once in the weik and ane translatioun upon ane uther day furth of some Greik author to be turned into Latine for the better understanding of the Greik phraise.

Upone the Setterday they dispute upone sum pairt of the Greik grammer before noone, and upone the same day in the morning they repeitt perqueir all that hes bein taucht unto theme the whole weik preceeding when the Greik authors in prose or verse is first begun to be red unto theme.

Upone the Sabbath day the regent teacheth in the morning the Catechisme and proceids thairin so far as he can for that yeir.

*The Second Yeir.*

The scollers efter thair returning the first day of October ar exerceised for the spaice of tuentie dayes or thairby in repeitting of the Greik grammer and Greik authors in prose and verse and in Ramus his dialectick to prepar themeselffes the better to give ane accompt thairof in thair examinatiouns.

After thair examinatiounes ar endit all the tyme that the tuo over classes ar examining the Regent gives unto theme theames to turne into Greik and some portioun of some Greik author to turne into Latine that they may the better be prepared for thair commoun Greik theame which is givin unto theme be the principall the next day after that the commoun Latine theame is givin to the new intrants.

<sup>1</sup>These rules differ slightly from those given in the College Register in the possession of the Town Council. They appear to be the earliest known collected rules.

The Greik theame being red the Regent instructes theme in the Rethorick of Cassander or any uther commoun rethorick (Talens being first taught before by the which they know the troppes and figures) and reids unto theme Aphthonij — and insists for the spaice of aucht or nyne weiks in teaching of some oratiounes of Cicero and Demosthenes in the Greik for the practise of dialectick and Rethorick during the which tyme the scollers makkis weiklie thair oratiounes conform to the saids aphthemi — upone thair severall purposes.

About the beginning of Januar or before the Regent begins to teache Organum Aristotelis and teacheth that yeir Porphyres Isagogs the Categories [ ] priora arolitica the first second and aucht books of the Topicks, Tuo buikes Elenchoram Sophisticorum.

These tuo last buikes being endit about the mids of Julij the regent teacheth theme the Arthmetick or some compound thairof.

Upone Setterday the scolleris disputtes on the Logicks in thair awin scolles and from the first Setterday of Majj *per vices* they have thair publict oratiounes in the commoun scoolles at thrie houres efternoone.

Upone the sabboth day the Regent teacheth forward the rest of the Catechisme which the yeir preceeding he could not overtak.

### *The Thrid Yeir.*

In the beginning of the thrid yeir they continew in repaitting of the logicks quhill they be examined.

After thair examinatioun the Regent teacheth theme the Hebrew grammer and exercises theme in the logicall analysis of any authour that they may the better be prepared in the prooffe they ar to give in analysing anc schort oratioun which is givin unto theme be the principall the same day that the inferior classe gettis thair Greik theame.

After they have ressavit thair annalysis the Regent returnis to the teaching of Aristotell and teacheth first Posterioria Analytica which onlie remaynis to be taucht of the logicks.

The demonstratiounes being endit he teacheth the Ethicks of Aristotle, first second the halff of the thrid and the fyft and sex bookes.

The Ethicks being ended he teacheth to theme the buikes De Naturali Auscultatione the first second thrid fourt and fyft buikes and gives them some insicht in the rest and especiallie in the eicht buik De aeterno metore.

About the mids of Julij he teacheth theme the anatomic of the bodye of man out of Servelius or anie uther quhome thinkis meittest holding theme in the meane tyme exerceised in repeatting of the philosophie till Lambes.

Upone the setterday they dispute in thair private scooles on Logick Ethick and physick theses conforme to the mater of dispute preferrit unto theme be the Regent.

Upone the sabboth day the Regent teacheth theme some speciall commoun plaices of Theologie according to his owne discretioun.

*The Fourt Yeir.*

At their returning frome the vacances that they may the better be prepared to give ane accompt at thair examinatiounes they continew repeatting thair Logicks Ethicks and Phisicks till the tuo inferior classes be examined.

The examinatiounes being endit the Regent teacheth unto theme the first sum pairt of the second and the fourt buik De Caelo.

The buikes De Caelo being endit he teacheth Sphaeram Joannis de Sacra Bosco and out of his fourt chapter gives theme some insicht in the theorick of the planets magnitudes and constellatiounes of the starris.

The sphere being endit he teacheth the buikes De Orta et interitu and the metiors so far as is neidfull.

The buikes outred he teacheth the Thrie buiks De Anima.

The buiks De Anima taught and so the whole course of philosophie endit about the beginning of Maij they enter to thair repitiounes repetting the Logicks Ethicks and physicks and all they have hard the thrie last yeires that they may give the better accompt of theme at thair examinatiounes.

The tyme of thair repitiounes the Regent teacheth theme Honteri Cosmographia or sum uther geographie and exercises theme in disputing besydes ordinarie dispuettes which they have all the yeir in Logic and physick or the Setterday.

Upone the Sabbath day the Regent prosecuttis the commoun plaices of Theologie mixing thairwith some doctrine of the contraversies as tyme and occasioun will permitt.

Efter that in the thrid yeir they have hard taught unto theme the first thrid or four chapters of Posteriora Analytica the tuo superior classes convenis everie nicht at fyve houres in the evening in the Magistrandis scoolles and dispuettes everie one with his nichtbour quhill sex houres upone the mater prescryvit be thair Regents in the demonstratiounes and continewis in disputting till the examinatiounes of the Magistrands And efter that in the second yeir they hard Porphirij Isagoge the thrid [thrie] superior classes conveynis ordinarlie everie Setterday in the saids scoolles frome ten houres till tuelf till thair publict dispute in the Logicks everie classe successive giving theses to the uther tuo the Fryday before quhairupone they ar to dispute the day following and so continewis till the examinatiounes of the Magistrands.

*The Classe of Humanitie.*

The classe of humanitie is taught be thair Regent in Latine authors poettis and oratours such as Horas, Juvenall, Plautus, Cicero, his Oratiounes and such uther the whole yeir.

Twyse in the weik ordinerlie they have dytted unto theme ane Inglisch theame which being turned be theme in Latine is examined be thair Regent and they ar exercised in uther versiounes out of the Latine in Inglisch and in making and turning of verses.

Aboutt the mids of the yeir they are instructed in Talens his Rethorick for the knowlege of the Tropes and figoures and till that tyme they are exercised ane hour in the morning in repeitting of the grammer cheiffie the syntax and prosodye.

About Lambes quhen the class of Philosophie ar dimitted the regent teacheth theme the elements of the Greik grammer at leist declinationes simplices et contractas for the better preparatioun of such as ar to enter the yeir following in thair ordinarie course of philosophie and so continewis instructing theme till the beginning of September or therby.

Upone the Sabboth day the Regent teacheth them some portioun of the Cattachese.

Upone Setterday efternoone the Regent teacheth theme some pairt of Buchanan Psalmes and taks compt thair of upone the Mononday in the morning thairefter.

After thair returning frome the vacances they are examined be the Regent of the authoris that wer taught theme the yeir preceeding and of that they have red theme selfis be thair industrie.

#### *The Ordour of Examinatiounes.*

The scollaris returning frome the vacances the first of October ar examined of all that is taucht theme the yeir preceeding and first they quho enter to thair second yeir efter tuentie dayis repititioun or thairby ar examined be the tuo Regents of the tuo hiest classes and the Regent of humanitie in thair Greik authours which ather was taucht unto theme the yeir preceeding or which they have red be thair awin industrie and in Ramus his dialectick with Talens Rethorick ane of the saids Regents examinattig everie one of theme in the Greik authours in prose another in the Greik poettes and the thrid in the Dialectick of Ramus and Talens Rethorick.

The examinatiounes of this Classe being endit the nixt classe is examined be the Regent of the hiest classe and the tuo Regents of the tuo lowest classes of so mutche of Aristotle his Logicks as wes taught unto theme the yeir preceeding the first Regent examinattig everie one of theme in Porphir and the Categories the second examinattig theme in the —<sup>1</sup> and Priora Analytica and the thrid examinattig theme in the Topicks and Elenchi Sophistici.

Thair examinatioun being endit the hiest classe is examined be the thrie Regents of the thrie inferior classes of all that was taught theme in Aristotle the yeir preceeding everie Regent examinattig cache one of theme twyse, the first tyme the first Regent examines theme in the commoun pairt of Logick, the second on the demonstratiounes and the thrid on the Topicks and sophisticall Elenches the second tyme the first Regent examines theme on the tua first bookes De Natura the second on the remanent bookes De Naturali Auscultatione and the thrid on the Ethicks.

<sup>1</sup> De Interpretatione.



In the end of the yeir before they pas Maister they are examined againe be four Regents the Regent of Humanitie being joynit with the former thrie, everie Regent as of before examinattin everie one of theme twyse the first tyme the first Regent examins theme on the commoun pairt of Logick the second on the demonstrationes the thrid on the Topicks and sophisticks the fourt on the Ethicks. The second tyme the first Regent examins theme on the commoun pairt of the Physicks the second on the sphere and buiks De Caelo, the third on the buiks De Ortu et Interitu and the meteors the fourt on the buiks De Anima.

The weik before they begin the examinationes of the Magistrands before the laureatioun the principall makkis knowen to the counsall quhat tyme they ar to begin the said examinationes to the effect the counsall may appoint such as they sall think meitt for passing to the Colledge who in presens of the Rector and scoolers publictlie convened sall ressaive one oath of the principall and Regents that they sall examine the scolleris without partialitie and sall thairefter ordourlie dispoine and circle theme and plaice everie man according to his learning maneris and guid behaviour and sielyik ilk scoller at the same tyme quhen he sall sitt down to be examined sall mak ane solemne promise with lifting of his hand that he sall behaive himselff dentifullie and modestlie the hail tyme of the examinationes, day of laureatioun and at all tymes towards the principall and Regents in all thinges and sall be content of that degrie and plaice it sall pleis theme to appoint to him but any frowning or contradictioun whairin if any sall fail or in any point thair of they salbe de-graduati of that degrie they have ressavit and thair names salbe cancelled furth of the Registers of the Colledge and salbe farder punished at the discretioun of the Counsall.

#### THE FORME OF DISCIPLINE USUALLIE OBSERVIT IN THE SAID COLLEDGE.

The students ar appointed to conveyin efter the vacances preceislie the first day of October under payne of paying tuo schillingis for everie day they remayne absent efter the said day.

The Bursars tuo of theme weiklie *per vices* ar apointed to ringe the bell at all ordinarie tymes of meitting as namelie at sex houres in the morning in winter and fyve houres in the sommer season, beginning in Maij and continewin till thair dimissioun at Lambes, at ten houres in the foirnoone and half hour to tua in the efternoone at which houres of conveyin the names of the students in ilk classe ar red and the absents ar *sero venientes*, writtin be the Censor and detailed to thair Regent, as also the saids Bursars ar appointed to paidell the staires and entrances to the scooles each one the weik that it fallis him to ring the bell.

The porter is appointed to attend on the yett and to awaitt on the students conveyin and dimissioun at all tymes convenient, to ring the bell at the houres of dimissioun and to lock the durris of the scooles and to keip the keyis

till the meitting againe of the students, and in the wynter at sex houres in the evening to cum to everie ane of the scoolles, and tak ane candle and plaice the same in such pairs as is most commodious to shew licht to all the scolleris in thair convening at thair commoun scoolles, as lyik wayes to lock the colledge yett before ten houres at nicht and oppen it in the morning before the houre of meitting.

Lyikwayes the said Porter is appointed to sweip the scolles thrie dayes in the weik and to keep the clois cleane and attend to the fabrick of the worke and report as neid requires to the principall and Maisters that they may caus repair the same as they find mister.

The Regents in the morning efter they have recommendit themeselfes and thair scollers unto God and craived his blissing to thair travells, everie one of theme in thair awin scoolles teacheth thair lessouns, and thairefter settis thair scolleris to confer that which is everie one with theme with whome they are appointed to confer [*sic*].

In the foirnoone teaching sum more to thair scollers giff they have not taucht aneuch in the morning thay caus theme thairefter to continew in thair conference or els examins sum pairt of that which was taucht before as occasioun serves.

In the efternoone they tak heid that thair scoolleris continew in conferring quhill four houres or thairby and then examins the lessons that hes bein taucht theme And in the play dayes in the winter the scolleris going out to the feilds, at tuo houres, and not returning frome till efter four houres they begin the examinatiounes of thair lessouns at fyve houres, Bott in the sommer the scolleris not going out to play till four houres they appoint theme till confer thair lessouns till thrie houres and betwixt thrie and four they examyne theme.

Upone the Setterday everie Regent awaittes upoun the disputatioun of thair scolleris frome sevin houres in the morning in wynter and from sex houres in sommer till nyne houres and all the foirnoone and efter that the publict disputatiounes of the thrie superior classes is begun thair thrie Regents awaittes together upoun theme moderatting thair disputtes *per vices* till they be dimitted at tuelff houres in the efternoone as occasioun servis they teache or causes thair scolleris to dispute till they conveyin in the commoun scoolles.

Upone the Sabbath day thair morning lessounes being endit they tak the hail scolleris to the Kirk, four of the Regents going before theme and the hebdomader going behind theme and abyids with theme the tyme of the foirnoone and efternoones sermones which being endit they bring theme bak frome the kirk to the scoolles causing them thair to give accompt of the tuo sermones and examining theme of the morning lessounes.

The scollers being dimitted the Regents conveynis in the Regents chalmer who was hebdomader the weik preceeding thair to schew mutuallie quhat thai have sein amis amongst the scolleris the weik preceeding and to advyis how to redres the same as also to consult quhat they think expedient for the weill of the work and furthering of discipline guid ordour and learning amongst the scollers.

Everie Regent is apointed to be hebdomader his weik about whose deuty is to awaitt all that weik upone all publict meittings of the scollers as namelie to awaitt upone theme quhen they conveyne to the publict exerceis of the students of theologie on Mononday at aucht houres in the morning that they may conveyn without any gritt din misordour or molesting ane another as also to awaitt upone thair dissolving and depairting out of the commoun scolles that they may goe out quietlie not thronging or injuring ane another as also to awaitt upone theme everie nicht quhen they conveyn to the prayers at sex houres at evin to adverteis the principall of thair convening and to celebrat the prayers unto theme in his absence.

Siclyik to awaitt upone theme quhen they conveyn upone the Wedinsday at thrie houres efternoone to be instructed be the principall in some portioun of scripture and to abyid with theme till they be dimitted and at thair dimissoun as at other tymes siclyik to awaitt upone theme quhen they conveyn on the Setterday at thrie houres efternoone to heir the declamatiounes of semi baccalaurei, as also all the dayes and tymes that they meitt together with the principall, to be examined in the principals of religion quhairin they ar to be instructed before they be admitted to the participatioun of the Lords tabill.

In the play dayes he goes out to the feilds with the scollers in the winter at tua houres efternoone and heiring the names of all the scollers cited in the feilds he causes his censor to wryte the names of the absents in everie clas which at thair returning frome the feilds he sends to everie Regent that they may tak ordour everie one with the absents in thair awin classe and after the taking of the names he abydes with theme in the feilds and brings theme bak againe to the schoolles at four houres Bot in the sommer season he goes out with theme after four houres at evin and cites the names as of before and delyvers the absents to the Regents the morning following.

Upone the Sabbboth dayes he goes behind the scollers at the going to the kirk in the foirnoone and thair returning frome the kirk to the scolles in the efternoone that non behave themeselffes inordourlie be the way and efter thair dimissoun he sends for the rest of the Regents to meitt in his chamber for the advysing upone the effaires of the collegde as of before and advertises the principall of such thinges as by thair advyse wer thocht expedient that if neid be he may convocat the Regents for farder consultatioun to be had thairupone.

It is injoynit to the Regents that they attend thair function and chairge all tymes especiallie that they be not absent at tymes of publict prayer commoun lessouns and the weiklie taking up of the ordour and that no Regent absent or divert himselff frome the cair of his classe for the spaice of ane day without speciall licence obtenit of the principall upone ane reasonable caus and that nane absent theme selffes above the spaice of tuo dayes without licence askit and obtenit of the counsall as also that in the meane tyme he supplie his classe and that the same be attendit cairfullie and taught during his absence As also that no regent in any tyme heirefter caus his lessone be

taught be any scoller be reiding of his notes in any tyme cuning under payne to be censured be the counsall and if anie of theme doe not his deuty and attend not cairfullie as he aucht that the principall notifie the same to the counsall that ordour may be taken thairwith and that in all thinges the Regents carye themeselffes deutfullie and respectivlie to the principall as one quho is plaiced over theme be the counsall.

The principall everie yeir at the returning frome the vacances callis togither the Regents that all may enter without delay to the awaitingg upone thair chairges and that they altogither may advyse quhat is most expedient ather to be renewit or to be furder devysit for guid ordour and discipline to be observit be the scoollers.

Thairefter he callis the bursars to remember theme of thair injunctiouns in ringing of the bell at tymes appointed and keiping the staires clein setting donn unto theme the ordour they sould observe in the same and that everie tuo and tuo may know thair awin plaice that they neglect nothing through pretence of ignorance ; as also he callis the portar ; remembering him of his deuty in observing the injunctiounes which he hes delyverit to him in writt and exhorting him to the observing of the same.

Also he convocattes the Regents ordinarlie upone the Tyisday betwixt aucht and nyne houres in the morning ones in the weik and sumetymes tnyse or thryse or ofter in the weik as occasioun servis ather for reforming anything that is amis or for ordayning and appointing of such new thinges as seames expedient for the better government of the scollers.

Lyikwayes he awaittes at all tymes of the day in the colledge taking heid how the scollers ar exercised that thair be [no] misordour amongs theme and visiting the scoolles as he thinks expedient or occasioun offers.

Iff any scoller behaive himselff stubbornlie or rebelliouslie against his Regent the principall being thairof advertised uses such discipline and correction over him as he thinks may serve best to keip the rest in subjection reverence and obedience to thair maisters.

Iff any scoller committ anye gritter offence or cryme tending to the evill exemple of all the students the Principall punischeth him in the commonn scoolles all the Regents and scoollers being assembled togither temporng the punischment according to the quantitie of the offence committed.

Everie day at sex houres at evin all the students convening in the commonn scooles the principall celebrattis the prayers and on play dayes in sommer at four houres at evin.

Everie Wednesday at thrie houres eftermoone the principall sall caus ring the bell for convening the scollers in the commonn hall at which tyme he sall teache anc lessoun of divinitie to instruct theme in the knowledge of God and of thair deuty which he sall examyne at meitting the nixt Wednesday following before he begin to teache and efter the lessoun he sall inquyre particularlie of the censure of everie classe concerning the faltis observit be thame in the students of thair awin classe and namelie quhome they have merkit as sent *sero venient*, banning, swearing, speaking scottis or negligent and trubling



uthers in thair studies and efter he hes exhorted all the students expecially to godlines and diligence in thair studies and utherwayes admonished them as occasioun offeris causing cite the names of all the scollers in all the classes he apoints new censers in everie classe both publict and privatt both for publict faltis abonewrittin and also for Clattering in the commoun scoolles and in tyme of exerseis of theologs and publict lessouns absents frome the commoun scoolles and frome the Kirk.

LAWES TO BE OBSERVIT BE THE SCOLLERS IN THE SAID COLLEDGE.

First that everie scoller at his first entrie to the colledge be matriculat therin and sall mak ane solemne promise be upholding of his hand that he sall be obedient to the haille maisters and sall keip the lawis and ordinances of the colledge and sall according to his powar mantein and advance the same.

That none be absent frome the scoolles at the houres apointed for meitting and that they remaine in the same, heiring wrytting and conferring thair lessouns till the ordinarie tyme of dimissioun.

That nane be absent from publict meittings in the commoun scoolles quhen they meitt to the publick exerseis of the students in theologie to the publict prayers in the evening to the principall his lessoun and taking up of ordour on the Wednesday and such uther tymes.

That nane be absent frome the kirk and heiring of the sermones before and efternoone.

That nane depairt frome the rest in goeing to the kirk in the morning nor in returning to the scoolles efternoone bot all to goe up with the Regents both the tymes.

That in publict meittings none expell uthers out of thair saittes or clame any plaice as proper to theme selfies bot that everie one content him self with the first emptie plaice he cummes into, ilk classe within the bounds designit unto theme.

That none attempt to goe out at the yett efter that it be ones lockit be the janitour without leve obtenit of some of the Regents.

That they speik latine both in the scoolles, in the clois, in the feilds, and in all uther plaices whair they ar together, and that none be fund speiking scottes.

That none be fund banning nor sweiring or blasphemying the holy name of God.

That none injure or doe wronge to uthers ather in word or deid especiallie that none straik another.

That none being injured or struckin with ane uther straik againe or preis to tak ane amends at his owne hand, bot that he complein of the injurie to the principall or his Regent.

That none weir or have in his possessioun quhingers or daigers, that none be fund waking in the gait or in any uther plaice with swords.

That efter thair dimissioun at all tymes in the day especiallie in the evening that they goe directlie home to thair ludgings and that none be fund to assemble in companies ather in the gaitt or els quhair and siclyk at the tyme of thair cuning againe to the scoolles.

That none frequent Kaitechpulses nor use unlawfull games as cairtes or dyce, at any tyme.

That none goe to tavernes or any uther unseemlie plaices for scollers to be fund in.

That none weare long haire.

That the Magistrands becum actit before they be admitted to thair examinatioun befoire thair laureatioun under payne of fourtie pundis That they mak no publict banquet before or efter the laureatioun nor use anye uther publict disordour ather at the tyme of thair laureatioun or after and incaice they be fund to contravein besyid the payment of the said soume that they be degraded before the conventioun dissolve And this to be publictlye doone be the Maisters in pulpitt and for better keeping heirop that the principall give no ticked to the Magistrands before thair examinatioun before the laureatioun untill such tyme they becum actit in maner and to the effect abone, writtin.

FOLLOWIS THE ORDOURS AND INIUNCTIOUNES FOR GOVERNING THE COLLEDGE  
SETT DOUN BE THE PROVEIST BAILLIES AND COUNSALL IN THE MONETH  
OF FEBRUAR 1626.

First it is thocht guid that thair be tuo certan dayes apointed for the yeirlye generall visitatioun of the colledge be the counsall by and attour such uther extraordinar tymes of visitatioun as the counsall shall think meitt and expedient, and as occasioun sall offer and the necessitie of the colledge sall requyre. The first visitatioun to be upone the first Mononday of December for intimatting to all quhome it concernis the lawis and ordinances maid for the government of the colledge in all maters and for setting doun such uther lawis and statuttis as salbe thocht guid for the weill of the colledge. The other generall visitatioun to be upone the penult Mononday of Junij for tryeing how the lawis hes bein keiped be all persounes within the said colledge that if anie thing unseemlie have bein doone hes escaped thair handis that such ordour may be taken thairwith as the transgressours may be punished at the sight of the counsall, which visitatiounes the principall sall remember to the Counsell ane counsell day before.

That in the saids visitatiounes first the principall sall offer himselff to be tryet and to that effect sall remove himselff and if he salbe fund to have bein negligent to be censurit be the Counsall which doone the haill Regents sall remove theme selffes to abyid thair tryell of thair behaviour and dewtifull attendance and observing of the lawis of the colledge and quho salbe fund to have doone wronge to be lyikwayes censurit be the Counsall.

Item the second generall visitatioun efter that tryell is taiken of the

principall and regents they sall proceed to the examinatioun of the scollaris and tryeing how they have profitted that yeir which tryell salbe taikin be such as the Counsall sall apoint be examinattig of some scollaris in everie classe at which examinatiounes they sall also tak ane veiwe of the haill scollaris buiks quhairby it may be knowne if they have cairfullie attendit and writtin thair lessouns and if anie scoller salbe fund to have bein negligent the same salbe imputed to thair maister And this tryell to be extendit lyikwayes towards the principall and professours lessounes alsweill of thair lessones taught be theme upone the Sunday as upone the uthir dayes of the weik.

Item sieing the Counsall of before for the farder decorement of thair colledge and weill thair of condisceidit that thair sould be ane Rector chosen thairin Thairfore efter advyse taikin thairin they find meitt and expedient for the weill of the said Colledge that the said rector be yeirlye chosen and elected be the Counsall the first Mononday of December yeirlye according to the maner to be set down heirefter be the Counsall whose functioun and chairege and dignitie is lyikwayes then to be condisceidit upone of which tyme the principall sall give advertisement to the Counsall ane counsall day before.

Item wheras the Proveist baillies and Counsall haiffing for the weill of the colledge and farder advancement of learning therin estaiblished ane professour of divinitie for teaching of the youth and trayning up of young students in the said professioun And to the effect that these whome it sall pleis to bring up thair childrein in the said professioun may not be foreit to send them furth of the cuntrey or to uthir colledges but may have guid occasioun for trayning theme up in the said professioun in the said colledge. Thairfore finds meitt that heirefter the professour of divinitie sall teach tua publict lessounes of divinitie in the weik in the audience of the principall and regents, and the tuo upmost classes and of the saids students in divinitie upone such dayes as the Counsall sall heirefter appoint and sall lyikwayes caus the saids students to dispute ones in the weik and sall preceid to theme and sall caus theme privatlie exerceis in Latine and monethlie sall have publict disputtes and sall lyikwayes ones in the weik reid ane lessone in Ebrew language with theme and all this by and attour thair publict exerceis upone the Mononday weiklie.

Item they thocht meitt that Mr James Reid present professor of the Metaphysicks sall mak ane publict lessoun ones in the weik in the said science in the presens of the tuo upmost classes to be convenit in the common scoolle and in the spaice of tuo yeires sall goe throw the haill metaphysicks and to this effect sall collect ane [ ] thair of and teache the same to the saids scollaris and the tyme to be upone Thurisday all ellevin houres in the foirnoone and yeirlye to begin immediatelie efter the examinatiounes and to continew till Lambes.

Item for the better [ ] of the scollaris communicatting it is ordaynit that quhersoever the communioun sall be celebratted that upone the first Sunday of the Communioun the principall Regents and haill scollaris sall communicat in ane kirk together and for the spaice of thrie dayes of before the principall sall instruct the scollaris in the doctrine of the sacraments.

Item anent the librarie ordanis yeirlie at the visitatiounes the librarie lyikwayes to be visited and in the meantyme ane Cattollogue to be maid be the principall to be printed and the yeirlie accessioun to be yeirlie eikit.

Item it is ordaynit that if any scoller salhappin to fall in the sin of furnication that he be publicklye putt furth of the colledge and if anie maister sall failt that he be presentlie depyryt.

## APPENDIX VII.

### THE LORD HIGH ADMIRAL AND THE TOWN COUNCIL.

(1) *The Cause of the Quarrel.*

(See pp. 46, 55).

(*Miscellaneous Papers XI., No. 454.*)

(See pp. 46, 55).

At Halyruidhous the twentie fourt day of September the yeare of God i<sup>m</sup>vj<sup>o</sup> and twentie aucht yeeres Anent the complaint made to the lords of privie counsell be Alexander Erle of Linlithgow lord high admirall of this Kingdome during the minoritie of James Duke of Lennox and Sir Thomas Hoip of Craighall knight baronet advocat to our soverane lord for his Maties interesse makand mentioun that whair it being his Maties pleasure to command the said erle of Linlithgow to accept upoun him the office of admiraltie foresaid duiring the minoritie of the said erle of Lennox and to grant unto him his Maties patent thairupoun under the great seale the saids lords of privie counsell upoun inspectioun of the said patent and for the better strenthening the said erle in the said office past and exped unto him ane act of counsell with ane proclamatioun following thairupoun charging all magistrats to burgh and land and uthers his Mateis subjects whome it concerned to reverence acknowledge and obey the said erle in all and everie thing concerning the said office liberties and priviledges of the same as the lettres dewlie published and proclaimed at the mercat croce of Edinburgh peir and shore of Leith and diverse others pairts of this kingdome whairthrow nane with reasoun can pretend ignorance thairof at lenth beares. And whairas his Mateis shippe callit the Unicorne and admirall of his Mateis fleete being laitlie returned frome his Mateis service on the sea and come within the harbourie of Leith the said Erle gave direction that she sould be carried up to the bridge thair to be sighted and he accompanied with men of the best skill and knowledge in Leith haveing twa severall dayes caused sight the said shippe both within and without It wes found that she had ane great laike in her keill and that of necessitie she behoved to be layed to the shoare for taking out of her ordinance caibles tæickles ankers and ballast whairby she being lightened she might the more easilie be putt upoun the banke and more nearlie sighted and viewed. Whairupoun the said Erle went first to the banke and provydit ane plaice for her to ly in and comming from that to the shoare to find out a commodious plaice



for her lighting and finding the James of Anstruther lying in that plaice whilk was sailfest and most commodious for his Mateis shippe foresaid he desyred the maister and skipper of the said shippe of Anstruther to make the rowme patent for his Mateis shippe seing she was loadned and readie to louse who most dewtifullie gave tymous and readie obedience. And the said Erle thair-after haveing past down the shoare with the Erle of Rothesse who wes going to his boate perceaving Thomas Wilsoun maister of the shippe callit — bringing in his shippe to that plaice whilk he had provydit for his Mateis shippe he commandit him in his Mateis name to forbear and give way to his Mateis ship whilk stood in so great necessitie of helpe and the said Thomas (as it appeared to the said Erle) being willing to give obedience in the meane tyme Archibald Tod baillie of Leith expresslie contrainandit the directioun givin be the said Erle to the said Thomas Wilsoun and verie prouddie and contemptuouslie commandit him to come in and take the plaice and to lay his ship to the shore whilk accordinglie he did. And the said Erle being returning frome the Erle of Rothesse and perceaving his Mateis shippe to be disappointed of the rowme and rancountering with Archibald Tod baillie he acquainted him that the plaice foresaid wes appointed for his Mateis shippe and asked of him upoun what occasioun she wes stayed he returned this answeire that the rowme foresaid wes appointed for a merchants shippe to take in her loading. Unto whome the said Erle haveing replied that this rowme foresaid wes appointed be him for lighting of his Mateis shippe seing she was in great danger of wracke if she lay out anie longer he answered him that she could not come there and the said Erle haveing demandit of him if he would stay or hinder his Mateis shippe to come in he answered that no shippe sould come there bot suche as come by his tolerance and that nane had power of the shoare and harbourie bot thameselffes. And the said Erle haveing againe verie soberlie answered him that they wer not come there to discusse rights and that if his Mateis admirall had not power to lay to the shoare ane of his Mateis shippes where ever the sea ebbes and flowes his powar wes verie small and that he would lay his Mateis shippe thair and hoped that he would not hinder him the said Archibald Tod answered him againe verie disdainefullie and prouddie that she should not come there and that he would not suffer him to lay her there bot would stay him. Quhairupoun the said Erle charged him in his Mateis name as Admirall and one of his Mateis counsell to give way to the incoming of his Mateis shippe he with the lyke disdaine and contempt answered that he would not suffer her and that he wauld be ansuerable for what he did. Whairupoun he required these who wer present to be witnes and protested that if his Mateis shippe sould be in danger that he sould be answerable for it. And so eschewing forder contestatioun and for preventing anie trouble or disorder that might fall out by the miscontentment of numbers of people who wer greeved to see so notable ane affront and disgraice to be givin unto the said Erle in his Mateis service he to give example of modestie and patience to others retired himselffe to his loodging and dischargit all his cumpanie and followers to make

anie stirre for this caus. And sua his Mateis said shippe by her lying out and not lighting her hes gottin suche skaith throw the said Archibald Tod his occasioun that she is lyke to prove wracke and no more usefull to his Mateis service. . . .

(2) *Informatione anent the Contraversie betwix the Toune of Edinburgh and the Admirall and his deputies.*

(Undated.)

The Port and harberie of Leyith being annexed to the burgh of Edinburgh pairt and pertinent thair of the same liberties priveledges and immunities ar grantit to the Proveist Baillies counsell and communitie of the burgh of Edinburgh in the said port and harberie of Leyith as is grantit to thame in any pairt of thair burgh royall with furdur augmentatioun of thair watter baillie courtis goldin pennyis customes and uther dewties per expressum disponsit to thame within the same as appeireth by dyvers infeftmentis grantit to thame be sindrie his Majesties most noble progenitours therupone Lykas the Provost baillies counsell and communitie of the said burgh hes grantit unto thame the jurisdictione of the said port and harberie of Leyth als weill in causis civil as criminall over all personis resortand or cummand to the same in all merchand comptis forrane or within the cuntrie Betwix merchand and merchand, betwix merchand and skipper or mariner, betwix mariner and mariner, Or any ryott felonie or slauchter committed within the same Lyk as ilk maister and skipper arryveand withir the same be the priveledgis grantit to the guid toune is obleist in all controversies betwix him and his merchand or marineris to submitt himself to the jurisdictione of the Provost and Baillies of the said burgh of Edinburgh Lykas furdur thair is grantit to the deyne of gild of the said burgh of Edinburgh als ample priveledgis and jurisdictione over all merchandis and marineris quhatsumever within the liberties of the burgh of Edinburgh as is granted to any judgis of Bursis ather in France Flanders or any uther pairt beyond sea within the quhilk jurisdictione of the burgh of Edinburgh and liberties thair of the said port of Leith is comprehendit Be vertew quhar of the guid Toune hes continewit in possessioun of the same richtis and priveledgis in decydeing of all merchandis comptis forrane or utheris betwix merchand and merchand burgeis of thair awin burgh or forraineris betwix merchand and skipper or marineris anent thair fraucht and hyres, Be halding thair watter baillie courtis uplifting the unlaues of offendours ather in ryottis or bluidis or punisching of felonies or slauchteris committed within the said port and harberie of Leyth uplifing of golden pennyes and uther customes grantit to thame without interruptione past memorie of man as salbe verrified be thair infeftmentis registers of water baillie courtis (ane hundrethe yeir ald)<sup>1</sup> actis of parliament and decreittis of the lordis of Sessioun gewin thairupone And namelie ane decreitt gewin

<sup>1</sup> Erased in MS.

betwix the duik of Lennox and his procuratours compeirand for him as admirall and the watter baillie of Edinburgh pairtyes compeirand in foro contradictorio quhairin the watter baillie of Edinburgh wes fund to judge to marineris hyres hyred in the Canaries nochtwithstanding the same wes desyred to be remitted to the admirall deputte as judges compitent thairto.

It is trew umquhyle Francis erle of Bothwell and Admirall of Scotland purchest of his Majestie ane chairtour and grant under the great seale of the jurisdictione of admiraltie over all personis and in all plaices within fourtie mylnes of the sea in all causis alsweill merchand comptis as uther forrane or within the cuntrie regraitours with the escheitt of uncustomed guidis and uthers privedgis derogatorie to the guid toune's richtis as at mair lenth is contenit in the same of the dait the xxix day of Julij 1587 Bot it is als trew sa soone as the same cam to the publick view complaint being maid thair-upone to his Majestie and estaittis of parliament the same infetment in the Parliament haldin at Edinburgh the fyft day of Junij 1592 wes annulled and expresslie statutt that the admirallis of this realme and thair successours suld exerce na jurisdictione nor uplift or exact escheitt or casualltie bot according to that quhilk wes usit before the deceis of Kyng James the fyift of noble memorie Notwithstanding any greitter specialitie conteynit in any of the saids admirallis infetmentis present or to cum. The same infetment is purchased now be the duik of Lennox admirall of this realme with all the same clausis nothing omitted except onlie he hes contented himselff with the portis tounis and villages lyand upone the seasyid and jurisdictione of thame leiving out these wordis (fourtie mylnes) as the said grant appeireth daittit ——— 1611 Be vertew of the quhilk infetment his Lo. deputyes intendis to posses thame-selffis in the jurisdictione of the toune portis and harberie of Leyth merchandis and mariners resortand thairto alsweill burgessis of the burgh of Edinburgh as forraneris marineris and utheris in all causis alsweill merchand comptis as mariner frauchtis and utheris particularlie conteynit in the said grant. Be this discours it may easilie appeare quhat wrong is done to the guid toune quhat prejudice to thame intendit if this letter grant tak plaice.

It is thairfoir maist humblie to be craved of his Lo. that he wald suffer the saidis Proveist Baillies and counsell to peaceablie injoy thair rycht and privedges of thair port and harberie of Leyth grantit to thame in maner forsaid and to that effect renunce quhatsumever grant maid to him prejudiciall to the same or utherwayis transfer the same in such forme as the toune of Edinburgh may be secured conforme to the lawes of this realme.

(3) *Answers for the part of My lord duik of Lennox great Admirall to the alledgit complaynt and greivis gevin in be the burgh of Edinburgh.*

(Undated.)

To the first heid it is answerit that it is without all question the admirall hes ane jurisdiction baith civil and criminall and hes bein in possession alsweill

in civil actions as punishing of Pirates and other offences committed within the sea in all times bygone And that he may exercise his jurisdiction in all places within the fluid mark That is sua far as the highest stream in winter fills And thairfor dois na wrang to exercise his jurisdiction within the said port or sea water sua that the sam be within the fluid mark.

As to the uplifting of alledged new exactions upon bottis and crearis the saids privilegis ar expreslie contenit in the admirallis infetment ratifeit in parliament and hes bein observit in perpetuall use quhilk is ane uther law speciallie in said foranour materis.

As to the thrid heid touching the making patent of the Tolbuith durris and ward housis of Leith and Edr. it is answerit that seing it can not be denyit bot the admirall hes ane jurisdiction it can be far les denyit bot he man have all these thingis without the quhilk he can nocht exerce his said jurisdiction and consequentlie man have the portis patent baith of the Tolbuithis and warehouses for punishment of trespassers.

As to the libertie of the toun of Edr. and rycht quhilk thay have unto the port raid and water thair of The said Admirall can give na answer thairto quhill it be sein and albeit the rycht thair of nicht pertain to thame as ane part of thair patrimonie and that thai have thair awin severall jurisdiction yit that is na impediment quhairfore the admirall may not exercise his office within thair jurisdiction nor to the Constable Justice Generall and Shireff quha — exercise thair offices within the said jurisdiction and na fault fund thairwith at any time bigane nor can not be fund of Law. Quhilk is ane answer to all the first thrie headis of the fourt article.

As to the act of parliament maid anno 1592 the samin can never militat agains the said Admirall in respect that be the same parliament it is expresslie provydet that na mannis infetment or rycht suld be prejudged be any act or statut maid in that parliament except he had bein speciallie callit and convenit to that effect and sua the said Admirallis infetment can na wayis be prejudgit thairby. The lyk wes prackikit befor the Lords betwix the Laird of Blairquhane and the proveist of Lynclouden. For the laird of Blairquhan haveing purchast ane act in the same parliament in prejudice of the proveist of Lynclouden the said proveist gat the samin act rejectit be ane speciall decisoun of the lords of counsale in respect of the uther generall act be the quhilk it wes ordanit that na manis rycht suld be prejudgit be na speciall constitution maid in the said parliament. Allowe thair wes ane speciall protestation maid be my lord Admirall the tyme of the making of the said act and admittit.

Finallie the said lord Admirall desyris na thing bot that he may bruik the same privilegis that his predecessours hes brukit of before unquarrellit be the toun of Edr. and speciallie sik privilegis as uther admirallis hes within uther cuntreis and in sa doing his L. sall continew ane guid freind within the said burgh lyk as his father wes of befor in all thair privat affaires.



(4) *King's letter as to Archibald Tod.*

(Box II., Bundle 7, 15.)

*Apud Halyrudhous primo die mersis Julij anno Domini millesimo sexcentesimo tricesimo.*

The whilk day the missive letter underwrittin signed be the Kings Matie being exhibite to the lords of secreit counsell be David Aikinheid provest of Edinburgh and read in thair audience the saids lords humbelie acquiescing to his Maties royall pleasure in this mater They ordaine the said letter to be insert and registrat in the bookes of privie counsell of the whilk the tennour followes : Charles R. Right trustie and weilbelovit cousine and counsellour right trustie and weilbelovit cousines and counsellours we greit you weil whereas we ar informed that one Archibald Tod in Edinburgh hath beene censured by yow for some misdemeanours used by him agains our right trustie and weil belovit counsellour the earle of Linlithgow and that some persoun would have him censured againe before yow for the same Being confident that yow have proceedit thairin as yow at first found just caus and holding it not fitt that he sould be anie further troubled for what by yow hath beene alreadie considered without there be new grounds of a further complaint against him for some other offence or misdemeanour committed be him : Our pleasure is that frome hencefurth he be not further perseewed nor called in question for that purpose and to that effect that you give order to our advocat not to insist therein whiche recommending to your care we bid you fareweel. Frome our court at St. James the 21 of May 1630. And the saids lords according to the directioun of the said letter discharges his Mateis advocat to insist anie forder in that mater till his Mateis pleasure thereanent be knowin and leaves to the parteis to acquaint his Matie with the trew estait of the bussines and for this effect ordains thame to have the extract of the missive and of this interloquitour givin thairupoun. Lykeas his Mateis advocat being personallie present protested for a copie of the said missive for the warrand of his cariage in this bussines in tyme coming. *Extractum de libro actorum secreti consilii S. D. N. Regis per me Jacobum Prymrois clericum ejusdem sub meis signo et subscriptione manualibus.*

JACOBUS PRYMROIS.

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## APPENDIX VIII.

### (1) FORTIFICATION OF LEITH

(Moses Bundles, XI., No. 453.)

(See p. 3).

Overtouris to be craved for menteing of the toun of Leith baith for the chargis in fortifieing of the toun and menteing thair of efter the fortificatioun as ane weir toun.

Item ane custome to be cravet of all guids and geir cumming into Leith ather be sey or land and that alsweill of guids and geir within the countrey as forrane geir.

Item that ane custome sould be imposit of all strangeris cumming within this firth for fetching away of kollis.

Item that all the lands in Leith and lands about the same sould pay to this fortificatioun.

Item that we sould be frie of all taxatiounes or burding in ony tyme heirefter.

Item that the Kingis Matie sould quyt twa of the hundreth of the customes quhilk ar takin up.

Item that thair may be imposit and takin up of all viveris quhatsumever debeatit or sauld within the toun of Leith ane particular dewtie.

Item in respect thir particularis abone writtin will requyre ane time and if the warke be put hand into will requyre ane present debursment till the former particularis be gottin in to refound the samyn agane quhilk present debursement in my judgement wald aither be ane taxatioun or ane voluntar contributioun on this body and the body of Leith. And give it could be thocht fiting the haill shirefdome of Lothiane to contribute to the same.

Conditiones to be cravet.

First that the government be ouris of the haill toun notwithstanding that thair be ane part thairof haldin of the barroun of Bruchtown and sum housses of St. Jobne and sum of St. Anthonis.

Secundlie that our rychtis be of new ratifiet and that the forfeiteing of the toun be no prejudice nor hurt to us nather present nor to cum in our liberties and priveledgis thair nather in trading nor no uther wayes.

Thirdlie that we sall haive libertie to cast the ground about the haill toun for fortifieing thairof without ony impediment notwithstanding quhosoevir auchtit the same.

Fourtlie that it sall be leasum to us alsweill within the toun as without the samyn to do ony thing that may be for the suirtie and keiping thairof.

Fyftlie that we sall have power to command all within the toun to cum or send sufficient servantis if not thame selfis with borrowis schooles mattockis mandis and spaidis for biging of the wallis and casting of the fouceis.

Sextlie that all within the toun without exceptioun sall watch and waird and obey be day or nicht to defend the toun or to go out upoun the enemie as they sall be commandit.

Sevintlie that thair sall be no biging within the said toun efter the fortificatioun bot be licence of the provest baillies and counsall of Edr.<sup>1</sup> and that baith for the weill of the biger and the weill of the toun.

Auchtlie that efter the intendit fortificatioun it sall not be leasum to non for till sett thair houssis to ony persone without licence of the magistratis of Edr. and that in respect the toun is alreddie fewit with ane number of poore

<sup>1</sup> Written over the words "the governour or magistrates."

persones quha can be no wayes steadabill to the toun and if this provisioun wer not the haill toun sould be fewit with the lyk.

Nyntlie that all the pairtis about the toun within ane common schot that may harme the said toun may be peruset and sene and remeid put thairto if thair be possibilitie.

Tentlie becaus thair will be feall and ryis requyret for the fortificatioun and seing thair is non about the said toun that licence may be procurit of the narrest places adiacent to the said toun quhair the said feall and ryis may be gottin and lykwayes that the samyn may be brocht in be thair cairtis and the cairtis about quhair the samyn feall and rys sall happin to be gottin.

Ellevintlie that the Kingis Matie may be pleasit to give for the planting of the wallis of the said toun round about with ordinance the quhilk will requyre thriescoir peices of ordinance quhair of ane number thair of of bras to be layit in the most neidfull and dangerous places and that the yron peisis be of sick gritnes and lenth as are fitting to be layit upoun the wallis of sick ane toun for defence thair of.

Twelft that ilk ane of the peisis be weill montit in guid carrages with laidill sponge and worme and quhatsumever ells is requisit for ilk peis to haif.

Threttene that ilk peis of the foirsaidis ordinance may haif fyve hundreth wecht of powder and ilk peis ane hundreth and fyftie bullottis.

Fourtenè that thair may be appoyntit four expert gunneris on his Maties pay to await and attend day and night upoun the service of that toun.

## (2) ARTICLES, FORTIFICATION OF LEITH—20th November 1627.

Quheras it is proponit be the lordis of his Ma. most honorable privie counsall to the proveist baillies and counsall of Edr. that they sould tak to thair consideratioun the building of forts in Leith as necessarie for the preservation of the herbarie and toun of Leith from forane invasioun and urtherwayes mutche importing the publict securitie of this realme And the saids proveist baillies and counsall for obedience therof efter mature deliberatioun both amang theme selfes as als with these of the best judgement in militarie effairis within this realme haifing fund it verrie probable that the building of forts thair vald littill or nothing endamage the enemye nather yit mutche secure the toun in caice the enemye sall once expose his forces on land hes in all humilitie presomit to offer to your Lo. wyse consideratioun the fortification of the haill toun of Leith as more importing the publict securitie And albeit the samin will amount to ane grit charge which the saids proveist baillies and counsall of Edr. ar not able of theme selfes to undergoe yit giff it sall pleis his Ma. and the lords of his honorable privie counsall to resolve upone the expedience and necessitie therof They for thair awin parts will undergoe the said worke upon the conditiones and provisiones efter specifiet.

1. That the liberties privileges immunities and jurisdiction alsweill civill as criminall quhilk the saids proveist baillies and counsall of Edr. hes

alreddie within the said toun of Leith port and herbarie therof passages leidand to and fra the same and lynkis therof ather eister or wester may be conservit inteir to theme conforme to thair chairtours and grants maid to thame and thair predicessours and decreits past theranent And in speciall that na merchandice be execised therin nor guids houssit in the same bot all transportit to Edr. and that na exercise of frie crafts be ther conforme to the actes of parliament and lawis of the realme And that his Ma. *de novo* ratifie and approve the same conforme to the tennor therof in all pointes and confirme the same be act of parliament.

2. That the government of the haille toun of Leith to be fortified as said is be conferrit upone the saids proveist baillies counsall and deykins of crafts representing the communitie of Edr. Swa that thai and thair successours and thair deputtis for quhome thai salbe haldin to answer salbe be his Ma. with consent of his estaittes of parliament maid governours of the said haille toun of Leith upone both the sydes of the watter therof of the haille cittedailles fortressis rampeirs bulwarks and fortificatiounes within the same and all uther libertie privileged and jurisdictioun over the inhabitants of the same as is grauntit to anie governours in such caices especiallie of shirefschip and justiciarie of peace with power to thame and thair successouris to appoynt under thame lievetenants captaines and uther under officers as sal be necessarie and is requisite thereto.

3. Since the north syid of the toun of Leith with ane pairt of the south syid appertenis to the barroun of Brochtoun in superioritie and some uther parts of ther superioritie It nicht pleas his Matie to buye the same and ressaive thair resignatioun therof to the effect it nicht be consolidat in one inteir government.

4. Since the grounds frome the calsay at the wyndmylne round about the said toun upone the west to St. Nicolas upone the north appertenis to divers heritours quher of necessitie the fortificatioun upone that syid must be raisit it nicht pleis his Ma. to mak the same frie to us lyik as we offer willinglie to give the grund upone the uther syid frome the harberie and Little Londoun round about to the wynd mylne to that same use in sua far as the said fortificatioun salbe extendit.

5. That since the inhabitants of Leith als weill upone the north syid as south syid of the watter therof participat in the benefite of the fortificatioun they nicht all be subject to undergoe ane part of the chairges to be disbursed in the said worke and underlye all burdenis theranent as salbe imposit upone theme be the proveist baillies and counsall of Edr. without exemptioun to anie persoun of quhatsoever qualitie they be.

6. That since the same worke will be of grit importance for the publick securitie of the realme that none be sufferit to build anie workes without the toun quhilk may indomage the same and if anie plaice neir adjacent may annoy the same that the same also be fortified and that nane be sufferit to build within the toun bot be the advyse of the Magistrattis of Edr. and in maner to be be theme prescryvit.



7. And als to the effect that it may be knawin quha ressidis ther that nane be sufferit to sett houssis to anie persoun bot such as sall have allowance of the saids proveist baillies and counsall of Edr. and that ydill and suspect persounes be remoovit furth of the same.

8. That it be leasume to the saids proveist baillies and counsall to doe anie thing within the said toun quhilk may tend to the securitie of the same alsweill in raesing of citadellis as building of girnellis munitioun housis or anie uther thing tending to the preservatioun and streuthening therof.

9. That his Ma. wald contribute such number of guid artillerie both bras and yrne with poudre and bullet effeirand to the same as salbe thocht and fund necessarie for the defence of the same.

10. And since this work will amount to ane infinite chairge and expens als weill in raesing of the fortificatiounes and bringing the same to perfectioun as in intertayning therof It nicht pleis your Lo. to fynd out the meanes how the same salbe doone and the chairges levied alsweill for the ane as uther.

11. That the meanes be fund how ane competent gariesoun maybe intertained therin and all thinges fitting for such ane worke and how the same incaice of forraigne invasioun may be manned with sufficient number of souldiers and als competent number putt in Edr. for defence of the same against anie suddane invasioun.

That since thair is no grounds pertening to the guid toun quhilk will afford sufficiencie of faile or davet or rysse for the said work it nicht pleis your Lo. to obtaine lybertie to thame to have the same in the maist ewest places quher they can be had and caus the cuntrey assist thame with cariages frielie.

### (3) FORTIFICATION OF LEITH.

At Edinburgh, 10 Januarij 1628.

Replyis of the proveist baillies and counsall off Edinburgh to the answers maid be the lords of his Maties most honorable privie counsall to the first articles gevin in be thame to the saids lords anent the fortificatioun of the toun of Leyth.

Quheras it hes pleased your honorable Lo. to find it expedient for the strenth and saiftie of the whole kingdome that the whole toun of Leith be fortified so it be sufficientlie provydit willing us to begin the fortificatioun with raising of bulwarkis and withall doe advyse that the government and keiping thairof be committit to his Matie and such as his Matie sall intrust thairwith wha salbe at pleasure changeable We maist humblie intreat your Lo. to consider that quhat was offered be us anent the fortiefieing of Leith was upone the conditiones and provisiounes contenit in oure articles givin in to your Lo. and no utherwayis quhairof this was the principall and *sine quo non* that under his Ma. the government and keiping thairof sould be intrusted to us

and our successours as those who are presentlie invested in the jurisdiction of the same (except ane small parcell thair of) and since the government thair of can not be conferred upone anie uther without ane evident breache and infringing of those richtis liberties and priviledges confered upone us and our predecessours be his Maties most noble progenitours we humbly crave pardoun <sup>1</sup> heir to subsist till we be secured in the government and keeping thair of under his Ma. be patent grantit of the same in maner contentit in our first articles and the remanent articles gevin in be first satisfied.

As to your Lo. answer to the first article thair is no necessitie of productioun of our chairtours infetments or uther securities since we craive not anie ratificatioun of anie liberties priviledges or securities bot that quhilk is signed be his Matie hes bein presented to the lords of his Maties exchequer quherof the particular evidintis and writtis therin mentionat hes bein alreadie be warrand frome his Matie and als frome the saids lordis perused and allowit be his Maties advocattis Sir Williame Olyphant and Mr Thomas Houp and that severallie and sindrie tymes as is notor to the saids lordis and hes bene by the saids advocats before the lords verefied and as to the calling of the inhabitants of Leith thair is no raesoun why they sould be callit to anie grant that it sall pleis his Ma. to confer upone us nather yit that we sould dispute with theme upone the validitie or invaliditie of actes of parliament and decreittes gevin before the lordis of session *in foro contradictorio partibus comparentibus* since nather will your Lo. fynd your selffes judges competent to the decisioun of anie questioun may arryse frome the same bot will remitt the judgement in such caices nather is it usuall to conveyne the vassals to dispute the priviledge of the superiour.

As to your Lo. answer to the second article anent the government of the whole toun of Leith to be established in our persounes and our successours we repeat quhat we haif formerlie said in our answer to your Lo. preface anent the same and withall humbly intreats your Lo. to be persuadit that it is nather our ambitiou nor wealth that maks us zealous of that government bot it is our necessities quhilk pressis us to the same <sup>2</sup> since gif anie uther unde his Matie salbe trusted thairwith he must also haif in his hands the managing and disposing of our liberties and privileges whilk hithertills hes ever bein committit to the Magistrattis of this burgh the best parts of Leith being so incorporat with our burgh as parts pendicles and pertinents of the samyn as our awin commoun streittes ar or the friest part of our burgh. Nather can the government therof be disjoynit frome the burgh of Edr. without the utter prejudice and ruine of this burgh and liberties thair of Nather quhen the same is established in our personis is it to be accompted altogidder heretable since

<sup>1</sup> From here to the end of the paragraph is an alternative reading which has been erased but runs as follows — "that we doe not putt hand to that work till we be secured in the government and keeping thair of under his Ma. As for the committing of the same to his Ma. we doe not weill conceave your Lo. meaning therin since we cannot think bot the whole realme and all therin and what ilk subject hes in private is committit to his Maties keeping and is under his tuitioun and protectioun and ilk subject aucht obedience to his sacred commandements."

<sup>2</sup> In the original form the sentence runs: "or yit fordwaird in the offer of fortificatioun of the whole toun of Leith in maner contentit in our first articles bot it is the publick guid quhilk incites us to the last and our necessities quhilk pressis the first."

it is bot to us and our successouris and oure magistrats being yeirlie changed and sua in effect ilk yeir new governours chosen and thairfore since our necessitie so presse us and the guid of the work requyris and brings with it the securitie of his Ma. service without the leist prejudice ather to his Ma. or realme we humble intreat your Lo. to concure with us for obteneing of his Ma. grant to the samyn.

As to your Lo. answer to the thrid article the Barron of Brochtoun is superior of the north syid of the Brig of Leith and ane parcell at the south end of the brig the lord Balmerinoch of ane uther small parcell. As to the pryce your Lo. can better find out the worth therof and since it is that quhilk is to be performed be his Matie for the guid of the work and consolidating the same in ane inteir government we humble intreat your Lo. to spaire us not to medle therin.<sup>1</sup>

Anent the fourt article since it is oure humble sute to his Ma. to buye these bounds for the use of the said worke we remitt the tryell thereof to your Lo. since it is more in your Lo. powar and easier to be performit and as for notiefeing of our proportioun it sall neid no declaratioun since we intend to doe that quhilk salbe fitt for the guid of the worke.

Anent the fyift article it is nocht desyrit be the toun of Edr. that the inhabitantis of baith the syides of the watter of Leith sould underlye all burdeins imposed upone theme be the toun of Edr. bot thair proportionall part with us of all burdeins and chairges we undergoe for the fortificatioun and maintenance of the said toun of Leith since they acquallie (yea rather whollie) participat of the benefite therof and at all tymes quhilk we remitt to your Lo. wyse consideratioun and judgement.

Anent the sext our desyres ar reasonable since we craive onlie that nather without nor within anie thing be down which may preindiee the fortificatioun raised and giff anie thing be without that it may ather be remoovit or secured and that nane sould build heirefter without neir the rampers or wallis leist the same may give advantage to the enemye and that none within sould build so neir the wallis as may hinder the service or so heigh as may bring hurt or damage to the toun quhilk all we houp your Lo. will think reasonable.

Anent the sevint oure desyres are just for we doe not craive that it sall not be leasum to anie present inhabitant of Leith to sett housis ane to ane uther bot that heirefter no stranger repairand thither be sufferit to sitt down thair without tryell of his qualitie and quheras your Lo. refusis to give warrand for dischairging of ydill and suspect persouns furth therof we maist humble intreit your Lo. second consideratioun of the same since to oure eyes it appeareth both warranted be law and reassoun that all ydill and suspect persounes

<sup>1</sup>The following clause has been erased and the one in the text substituted for it:—  
 “Thair is some particular building in some uther handis that lyes within our jurisdiction. As  
 “to the pryce your Lo. can better fynd out the validitie of the same and since it is that quhilk  
 “we craive to be performit be his Matie as ane partiall retributioun of the grit charges  
 “and laubours we undergoe in that effair we humble intreat your Lo. to spaire us not to  
 “medle therin.”

could be remooved furth of annie weill governit citie fare more out of ane fortified plaice or strength.

Anent the eicht we adhere thairto provyding the government be established upone us and oure successours.

Anent the nynt it is hard to us for the present to resolve upon the full number off cannon bullett and powder till the plat off the fortificatiouns be maid bot swa far as we have learned of these quha hes insicht in these effaires it will requyre at least thriescore piece of cannon quherof thrid pairt bras twa pairt iron with fyve hundreth wecht of powder and twa hundreth bullets to ilk piece and all uther furniture requisite to the same. As to the maintenance answer salbe givin therto quhen the meanes of the intertainement salbe fund out and knawin.

Anent the tent we will heare your Lo. judgement in so weichtie ane effair before we presume to give anie overture frome oure selffes for evin the most difficult effaires may be your Lo. grit wisdom be exped which to waiker judgements salbe inextricable and we sooner cum to the knowledge heiroyf by following the thread of your Lo. directiounes then going before.

Anent the ellevint we think it ane matter worthie your Lo. consideratioun the plaices being so important and thairfore dar not presume till we heare your Lo. opinioun thereanent and the meanes quherwith the same salbe done be fund out and sattled.

As to the last quhair we have devatt or ros of oure awin we sall not be trublesome to the cuntrey when ours is spent we intreat we may be furneissed out of the nixt adjacent plaices ewest to the toun of Leith or neir hand as far the satisfacioun for the same and cariadges it is that we desyre the cuntrey to be burdenit with of whose favour and guidwill and especiallie of the noblemen and gentlemen of Lauthiane we ar so confident that we doubt not they sall offer thair contributting helps thairto with more willingnes then we craiveit quhat your Lo. utherwayes will think fitt in the mutuall releif one of ane other we leive it to your Lo. wyse deliberatioun.

In end we ar in all humilitie to intreat your Lo. if the worke be so necessarie for the publiet guid as your Lo. hes fund it and that it can not bot appeare to your Lo. what burdeyne we sall undergoe in undertaking ane work of such weelt and moment it nicht pleis your Lo. to graunt your honorable assent to these oure just desyres and with all willingnes to interceid with us at his Maties handis for his royall grant of the same especiallie anent the government since Edr. and Leith can not be disjoynit without the utter undoeing of the ane and quhat other auxiliarie helps are desyrit so necessarie as without theme the worke can not be accomplished giff utherwayes your Lo. denye your honorable assistance and favour we must subsist and leive af quhat upone motion maid be your Lo. hes bein be us for the publiet guid so frielie offerit and resolve to undergoe the haesart of quhat may ensew with the rest of the



cuntry (and to oppose our bodies for wallis to the enemye) <sup>1</sup> and to leive the issew to the Lord quhome we most hairtielie pray for Jesus Chrysts saik to direct both your Lo. and us ilk ane in our statioun to tak such course as may be best for the publick guid and securitie of this realme and quhilk may beir testimonie to his Ma. the estaits of this realme and all posteritie that thair was nather lacking in your Lo. that honorable cair to intertainie all motiones quhilk might encourage us to undertake so grit a worke nor willingnes in us to approve our selfes to the full in undergoinge the samin to be guid subjectes to our King patriots to our native cuntrey and presidents of so memorable ane monument to all posteritie for if we doe not find these incouragements quhilk we doe expect and that with grit alacritie and compen-sioun of your Lo. mynds and favours from your Lo. we will rather resolve to stand at the hasert of quhat may ensew then seeme to give to your Lo. the leist distaist by anie of our actiones quhilk sall never pleas us under quhat-soevir cullour thay appaare till they first be approvin be your Lo. <sup>2</sup>

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## APPENDIX IX.

### TRON CHURCH.

Ane compt of the workmanship to be wrought at the Kirk of the Tron from the 7 of Sec. 1642 givin in be Johne Milne.

Ane not for the workmanship off the meson work that is to doe to the southest conrok off . . .

Item the stipell most ries for the present at lest twentie fiet above the lewelling off the wales with all the ornomentes that belongs therto sik as ar determinet alrede by the presiding off the work First it woll tak off asler 400 pis at lest at tuentie shiling the pis . . . . .	llb. s. d.
	400 0 0
Item the twa Corner pileres ar to be furnised with ane gudlie Capitall off the Corinthin order the pis hewing and carving woll stand 36 lib. the pis . . . . .	72 0 0
The architrive that mostly upon them and mit the tember reb . . . ell to the nomber off fortie fiet long at threttie shilling the fut . . . . .	60 0 0
Item the plen fris that most by above it is off lenth fiftie fiet at ten shilling the fut is . . . . .	25 0 0

<sup>1</sup> Clause within brackets is omitted.

<sup>2</sup> There are two other drafts of these replies, but differing in no important point from the form given, except that neither has the conclusion. No copy has been preserved of the Privy Council's answers.

Item the Cornis that most by above it is off lenth thrie seor fietes being twa stones in thiknes at thretie sax shiling the fut is . . . . .	lib. s. d.
	108 0 0
Item ther most be of rebtes and pend to ane wouden and skonsiones to sekure the first hors off the stipell on with ane other to the number of 60 pis ston woll be fortie shilling . . . . .	120 0 0
Item of serches for the tornpik the number off 80 pis off ston with ane dor and ane slet wondowe the hewing off the pis of them serches for the dor and wendow ower heid fortie shilings the pis is . . . . .	160 0 0
Item the tornpik woll tak off nowellis thretie pis of ston at sax shiling the pis is . . . . .	54 0 0
Item ane litell dor to serve at all ocasionies for the rowff in the insid of the stipell bing fyve fut hight and thrie fut wid the rebetes and skouchines soles and lenteles to the number off twentie sax at twantie sax shiling the pis is	33 16 0
Ther is likwayes on for the Cartomes off twa stones off thiknes that the rowfe standes upon the hewing therof 8 lb. .	8 0 0
Item off oched asteres that reseives the rowff within them fortie pis of ston at twentie shilings the pis hewing is .	40 0 0
Item to res the fowr bottrages to ane resonabell hight in the mener and fasone off ane pitostowll and finis them with fer and high piromides as the work requires and lykwayes the heades of the corner pileres off the stipell to be finised above the Cornes in the aforesaid mener ewening on with ane other woll stand in hewing ane honder mark ower hed	400 0 0
Item ther most be ane hondreth fut off logment skowes for ewer gwell fitet that they may reseve the led and preserve the wall hewen on ewerie sid at saxtin shiling the fut is .	160 0 0
Item the laying off heall forsed work and furnising off baromen fowr hundreth pund . . . . .	420 0 0

The holl for work hewing and laying with the geweles finising and fornising off barowmen is twa thowsand thriescor pound saxtin shiling . . . . .	li. 2,060 16 0
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Ane not for workmanshep off the meson work off the aforesed Kirk  
the sowth sid theroff to finish perfitlie.

Item the gryt sowth wendow in the ille is off widnes 18 fut and off hight to the begining off the arch 12 fut and the high of the arch above that is 9 fut the arch woll tak off gryt oger pend stones thrie fut long at lest and 16 inches thik and twa fut brod with the mowldines theroff andserabell to the gaines 36 off them at 4 lib. pis . . . . .	lib. s. d.
	144 0 0

Item for the gryt iner pend off the same wendow off stones for the pend 48 pis ther lenth is 3 fut $\frac{1}{2}$ ther thiknes 14 inches and off brid 2 fut at fortie shiling the pis is . . . . .	lib. s. d.
	96 0 0
Item the sed wendow woll tak off mid mingeles fywe ewrie mingell twa stones sax fut long and ther compitant brid and thiknes hewen on all sides with ther mouldings the hewing of ewrie on of thos stones awcht pownd . . . . .	80 0 0
Item of stones for the net work of the sed wendow 34 pis off stones som 3 som 4 som 5 fut longes som 15 inches thik som 2 som thrie fut brod all well wrogh rownd about in compos work conforme to the mowlding of the mingoles the pris ower hed off them stones 6 li. . . . .	204 0 0
Item off tebell stones with ane mowlding to preserve the rene from the wendow 15 pis at 3 fut long 14 inche thik 2 fut brod well serched conform to the arch the pis off them stones woll be 3 lb. . . . .	45 0 0
Item of rebts for the twa sowth wondows in the bodie of the Church and the est wondou in the samin withe the est wondou off the Ille 20 pis off ston 3 fut long 2 fut brod 13 inches thik all well mowldet conform to thes alredie led at 4 ll. the pis . . . . .	80 0 0
Item for thos four wondows off grit oger pend for them ane hondreth pis 3 fut long 2 fut brod 16 inches thek at 4 ll. the pis . . . . .	400 0 0
Item of ower pend for thos fowr wondows 140 pis 3 fut $\frac{1}{2}$ long 2 fut brod 14 inches thik the pris off ewrie on off thos pend stones 40 s. . . . .	280 0 0
Item to the est wendow in the Ille twa mingeles and ane competent brid and thiknes will mouldet conform to the rebters on all sides at 8 pund the pis of the ston . . . . .	32 0 0
Item for the Net work of the saming wondou 15 pis off ston som 3 som 4 som 5 fut long 15 inches thik som twa fut som 3 fut brod the samin to be wroght all rownd about in compes work with the moulding off the mingeles at 6 ll. the pis . . . . .	90 0 0
Item of tebling for the going round abows the arches on the out sid off the former fower wondous med lyk wit the tebell of the gryt wondou 40 pis of ston 3 fut lang 2 fut brod 14 inches thik the pris off ewrie ston 3 ll . . . . .	120 0 0
Item off skousiones to the for sed fowr wondowes 30 pis off ston 3 fut $\frac{1}{2}$ long 1 fut thik 15 inches brod howen with ane bak filet upon the hed off them the pris of the pis howing is 26 s. 8 d. . . . .	40 0 0

	lib.	s.	d.
Item off asler Coynis for the twa grit mid mingols in twa sowth wondows in the bodie off the Church quhich most suport the heall rowff at that pert 80 pis of ston 3 fut $\frac{1}{2}$ long ane fut thik and 18 inches brod the pris of the pis is 30 s. . . . .	120	0	0
Item off stones to finish the gryt pileres that most bere the grit arch that most be med on the south sid of the church betwix the lell and Kirk 12 off them 3 fut long 2 fut bred 1 fut thik at 3 ll 6 s. 8 d. the pis . . . . .	40	0	0
Item to the forsed gryt peleres twa chapter hedes in the dorek order will and handsomlie med qwhich does consist ewrie on of theron in fowr stones 45 pundis . . . . .	45	0	0
Item for the gryt arch that dowes consist off thrie cowers of pend ewrie cowers takes thrie scor pis of ston the lenth off everie ston 3 fut $\frac{1}{2}$ 2 fut brod 1 fut thek at 48 s. ower head is	432	0	0
Item for conies for the twa sowth butarches and ornelles 200 pis off ston at twentie shilings the pis is . . . . .	200	0	0
Item of Cartowses awcht fowr within the Church itself on the sowth sid theroff and fowr in the Ille to ber the futes of the mene rowff consisting of twa stones ewrie on off them thrie fut half long and 18 inches brod 1 fut thik at 4 ll. the pis . . . . .	64	0	0
Item of arched asleres that most ly abowe thos cartowses that resewes the bak off the mein copeles off all the awch woll tak 160 pis off ston 3 fut long 1 thik 15 inches brod at 20 s. the pis is . . . . .	160	0	0
Item off tember tebeles for the bodie off the Chourch and for the ille ane hondreth fut off ston at 20 s. the fut . . . . .	100	0	0
Item the finishing off the twa Corner butarches on the corner off bodie off the Chourch and the other on the Corner of the Ille to res them with ane handsom way to preserve them from wether ewrie on off them fortie pund the douing off them acording as is afor sed . . . . .	80	0	0
Item the legment skowes for the sowth gewell off the Ille woll tak off stones 40 pis bing don conform to thos off the Chorch 4 ll. the pis . . . . .	160	0	0
Item for laying off all the sowth work off the Kirk with the Ille and furnising of barowmen and totalie finish the sam in laying . . . . .	600	0	0
The holl sowth sid is . . . . .	lib. 3,612	0	0

7 Dec. 1642.

(Signed) Johne Mylne.



The finising off the Church bak and for off gud  
and sufisiant work and furnising off barowmen comes  
to the soum of fywe thousand sax hundreth and  
sevintie pund saxtin shiling . . . . . lib. 5,670 16 0

Forsamekill as the counsell having considered the fabrick of the Kirk at the trone and finding that it is most expedient that what is to be perfyted may be done upon task Therfor they have agried with Johne Milne present maister masone that he sall compleitt the wholl stone work therof in workmanship to the sight of the d. of gild in the sam maner as the rest of the work is done and conform to the nott givin be him this day and the stipell tuentie foot above the syd wall the counsell furnising stone and lyme and skaffolding and all other recessars except workmen and workmanship as said is for the som of 400 li. sterling to be payed to him therfor in maner following viz the som of ane hundreth li. in hand tua hundreth at ilk 3 moneth and the last at the completing of the work the bodie of the Kirk betwix and lambes nixt and the yle betwix and Michelmas therafter.

## APPENDIX X.

EDINBURGH *vs.* LEITH.

(*Miscellaneous Papers*, Bundle xi.)

(*See* p. 60).

At Edinburgh the twentie fyft day of March the yeir of God j<sup>m</sup>vj<sup>c</sup> twentie nyne yeiris anent the supplicatioun givine in to the Lords of counsall and session be the particular persounes efterspecificet inhabitants of the towne of Leyth [being a hundred and thirty-two persons both men and women]. inhabitants of the said toune of Leyth and tenements and possessoures of certane tenements and parcells of land lyand within the samyne, And all the fore-namet heritoures, lyferentares, conjunctfeares, inhabitants, tenents and possessoures of the said toune of Leith respective abonenominat for thame selves and in name and behalf of the remanent heritoures, lyferentares, conjunctfeares, tenements, possessoures and inhabitants of the said towne of Leyth and of the tenements and parcells of land lyand within the samyne to the number of thretteine thowsand or fourteine thowsand people or thairby Makand mentioun that quhair there are generall letters purchest at the instance of the proveist, baillies, counsall and communitie of the burgh of Edinburgh be vertew quhairof ane greit number of the inhabitants of the said toun of Leyth ar already chairgit and the remanent of the saids inhabitants daylie expects to be chairgit, at the leist may be chairgit that they and everie ane of thame for thair awine partis decist and ceis from all buyeing of woll, hydes, skynnes, cloathe and all utheres merchandice in the cuntrey fra unfriemen within the friedome and boundis of the said burgh of Edinburgh, Bot that they suffer and permitt all such merchandries to come to the said burgh

to be coft frome the friemen of the samyne, And that they and everie ane of thame decist frome all packing and peilling within the said toune of Leyth or within any uther unfrie toune within the boundis of the said burgh bot that all sic merchandrie be brought to the said burgh of Edinburgh and thair to pack and peill thair guidis and pey custome and uther dewties within the said burgh. And that they and everie ane of thame decist and ceis frome all buyeing of wyne, victuallis, walx, timber, irone, lint, pick, tarre and all utheres staple guidis cumand to the poirt of Leythe be straingeres or ony uther poirt within the friedome of the said burgh of Edinburgh untill the maister and merchand of sic shippes cumand in come to the officiares of the said burgh of Edinburgh and enter thair guidis in the buikis of the towne, And thereafter his hienes officiares takand alsmeikle of all sic guidis as salbe necessar for his Majesties proper use allanerlie not byding upoun the pryse makeing therof. The officiares of the said burgh makand the pryces efter the forme and tennour of the act of parliament made be umquhill James the Thrid be the grace of God King of Scottis his Majesties foirgrandshires father and thar his hienes comptroller and the thesaurer to pay as the pryces made be the saidis officiares of the said burgh and no dearer, And that they and everie ane of thame deceist and ceis frome all buyeing of herring, killing of selches and utheres fishes cumand in at the said poirt of Leith or at ony uther poirt within the friedome of the said burgh, salteing and peilling of the samen in hurt and preiudice of the liedgis in thair sustentatioun and in sending thair of in Ingland and uther places ; And that they nor nane of thame take upon hand to make any maner of mercat of na maner of guidis at ony point within the friedome of the said burgh of Edinburgh bot within the same burgh and that they use na maner of merchandries tope nor sell wyne walx, silks, spycerie waid nor siclyk stuffe nor the staple guidis nor that they baike na breid to be sauld in Leythe nor hald merehand buithes nor girnells of coirnes within the said toune of Leyth Bot that they onnawayes take upone hand to hous woll hydes and skynnes within the said toune of Leythe Bot that they deceist and ceis therfra in all tyme cumeing within certane schort space under the paine of rebellion And for alledgit not obedience of the command of the saids letters the saids proveist baillies counsall and communitie of the said burgh of Edinburgh intendes to caus denunce thame to the horne AND SICLYK the saids proveist baillies deane of gild thesaurer and remanent counsall of Edinburgh and thair baillies of the said towne of Leithe alledgeand that be ane act of the court haldene be the saids proveist baillies deane of gild thesaurer and remanent counsall of the said burgh at Edinburgh alledgeand thame to be superiours of the said toune of Leythe with Archibald Tod and Edward Edyar thair baillies thair of for the tyme upoun the fyft day of appryll the yeire of God j<sup>m</sup>vj<sup>o</sup> twentie aucht yeires it wes statute and ordanet that na inhabitant within the said toune of Leythe sould make malt brew tope or vent aill or wyne or beir or keipe hostlaries within the said toune of Leithe bot thaise quha wer and sould be admittit to the libertie thair of be the saids proveist baillies and counsall of Edinburgh alledgit superiours of the said toune of Leithe under

the paine of fyve pundis to be payit be the contraveineris for the first fault, ten merks for the secund, and ten pund for the thrid fault and confiscatioun of the stuffe And sielyke statut and ordanet that na malt could be browine within the said toune of Leythe bot that quhilk is grund at the tounes mylnes of Bonytoun under the paine of confiscatioun and escheating of the malt grund elsqhair and browine within the said toune of Leythe. . . . AND MAIRATTOUR the saidis proveist, baillies, deane of gild, thesaurer and remanent counsall of the said burgh of Edinburgh and thair saids baillies of the said toune of Leithe Alledgeand that thair are divers and sindrie utheres actis made pairtlie in the toune counsall of Edinburgh and pairtlie in the courtes haldine in the said towne of Leithe and pairtlie be the saids proveist baillies deane of gild thesaurer and remanent counsall of the said burgh of Edinburgh and pairtlie be thair baillies of the said toune of Leithe anent and concerning the particularis following viz IMPRIMIS That all victuall coft be the inhabitants of the said toune of Leithe salbe sauld be thame within the space of twentie four houres efter they buy the samyne under certane paines contentit in the actis made thainant. ITEM that efter the deceis of the present craftismen of all sortis within the said toune of Leithe specially sic as wrichtes, selaitters, maissounes, tailyeours, cordineres, baksteres, brewisteres and sicklyke craftismen and traidis thair sall be nane of the inhabitants of the said toune of Leith sufferit to use the lyke craftes or traides thairefter. ITEM that na meill nor any corne salbe made coft or sauld in greit or in small be ony persoune inhabitants of the said toune of Leithe. ITEM that nather meilmaker nor uther inhabitants of the said toune of Leithe sall have metts nor measures sic as boll firlott peek and fourt pairt. ITEM that nane of the inhabitants of the said toune of Leythe sall goe to the schereff at the waepounschawing bot that they sall all repair to the saide toune of Edinburgh to all waepounschawing *extra baroniam*. ITEM that na coills peatts timber or burnewood cumand to the schoire or toune of Leithe salbe sauld to ony of the inhabitants of the said toune of Leithe. ITEM that nane of the inhabitants of the said toune of Leithe sall buy meill corne or uther victuall in the said toune of Leithe nor in no uther part of this realme. ITEM that nane of the inhabitants within the said toune of Leithe sall baike bread or sell bread within the said toune of Leithe. ITEM that na craftisman salbe in Leithe sic as tailyeours, cordiners, wobsters, smithes, nor sailleres to attend nor saill the shippes. ITEM that nane of the burgesis of the said burgh of Edinburgh sall dwell in Leith nor take any sellares or houssis fra the inhabitants of the said toune of Leithe, at the leist ane certane number of thame. ITEM that na meatt drinke aill nor beir salbe sauld in Leithe bot at the pryees appointit and to be appointet be the saids proveist baillies, deane of gild, thesaurer and counsall of the said burgh of Edinburgh or thair baillies of the said toune of Leithe. ITEM that na malt meill nor flour salbe browne baiken or ventit in Leithe except it be grund at the mylne pertening to the said burgh of Edinburgh. And for alledgit not obedience of the saids acts or for alledgit contraveining the tennours of ane or mae thairof the saids proveist baillies deane of gild and remanent counsall of the said burgh of Edinburgh or thair



saidis baillies of Leithe intend to caus poid the saidis inhabitants of the toune of Leithe thair guidis for the unlawes alledgit incurrit be thame throw contraveining of ane or mae of the saidis acts abonementionnet or to caus confiscat certane great quantities of thair guidis and geir or to caus incarcerat thair persounes in waird or to caus putt thame to the horne MAIST WRANGOUSLIE for the caussis and reasounes at lenth specifiet in the said supplicatioun CRAIVEING thairfoir suspensioun of the saidis letters chairgis decreits acts of parliament and utheres forsaidis for the reasounes and causis mentionnet in the said supplicatioun And the saidis provest and baillies being be ordinance of the saidis Lordis warnit to have hard and seine the desyr of the said supplicatioun grantit and thairefter the said matter being callet in presens of the saidis Lordis And the said supplicants COMPEIRAND be maisteres Andro Aytoune, Rodger Mowat and Robert Craig thair procuratours AND the saidis proveist and baillies COMPEIRAND be maisteres Lues Stewart Thomas Nicolsoun and Johne Belches thair procuratours quha declared that they had chairgit allanerly at this tyme the thrie particular persounes following viz. Alexander Hay, James Home and George Logane for obedience of the letters raisit at the proveist and baillies thair instance upone the acts of parliament conceived in favours of the royal hurrowes of this realme and siclyke for obedience of decreits obteniet at thair instances Aganes the inhabitants of the said toune of Leythe before the saidis lordis mentionnet in the saidis lettres of horning raisit thairanent of the dait the thrid day of merche j<sup>m</sup>vj<sup>o</sup> twentie nyne yeires And declairit that they chairgit the saidis persounes nor ony uther of the saidis inhabitants upone the actis and decreits forsaidis made or givine be the said proveist or baillies of Edinburgh or be the baillies of Leith or thair procurator fiscall Aganes ony of the saidis inhabitants for the causis forsaid mentionnet in the said supplicatioun nor craves na executioun upone thair saidis decreits and actis untill the tyme they sall obtaine decreits conforme thairupoun befor the saidis Lordis And the saidis Lordis heaveing at lenth hard the saidis pairties procurators to have reasonet *viva voce* in thair awine presence upone the forme and maner of the granting of the said suspensioun and upone the reasons quhair foir the same sould not be grantit in maner as the same is conceavit THE SAIDIS LORDES. . . . suspend simpliciter all executioun give any be direct or salbe direct aganes any of the saidis inhabitants at the instance of the saidis proveist and baillies of Edinburgh, baillies of Leith and thair procurator fiscall for the causis forsaid dureing the dependance of the disput befor the saidis Lordis anent the forme and maner of the granting of the said bill of suspensiounes Lykas the saidis proveist and baillies of Edinburgh being personallie present as said is declairit that the saidis thrie persounes wer not denunciit to the horne for any of the causis forsaid And farder the saidis Lordis declaires they will grant na suspensiones at this tyme to the inhabitants of the said toune of Leith of any actis or decreits givine aganes thame at the instance of the saidis proveist and baillies of Edinburgh anent the mustures. . . .

(Signed) A. HAY.



## APPENDIX XI.

LETTERS PATENT UNDER THE GREAT SEAL OF CHARLES I. GRANTING  
POWER TO THE CITY OF EDINBURGH TO ESTABLISH A CORRECTION HOUSE.

(*Historical Charters*, No. 87.)

(*See* p. 107).

CAROLVS Dei gratia Magne Britannie Francie et Hibernie Rex fideique defensor OMNIBUS probis hominibus suis ad quos presentes litterae pervenerunt salutem SCIATIS quia nos considerantes quam utile et necessarium sit ad regni recte administrati conservationem in omnibus regni nostri finibus ut colasteria que vulgo domus correctionis appellantur in omnibus nostris burgis regalibus constituentur et sustententur ad robustes mendicos profligatos et dissolute viventes puniendos Necnon certiores facti Prefectum Ballivos et senatum Edinburgensem preclarum hoc opus iam inchoasse atque Edinburgi que precipua est regni nostri Scotie civitas Colasterium erexisse ac impense volentes eandem rationem inivi ac observari in omnibus reliquis regni nostri Scotie burgis regalibus ac in eum finem potestatem iis dari secundum actum secretioris nostri consilii datum in gratiam dicti prefecti ballivorum ac senatus Edinburgeni PROPTEREA ratificavimus et approbavimus sicut et nos adhibita deliberatione et consensu dominorum nostri consilii secreti illius regni Ratificamus et approbamus datam potestatem et dictum consilii decretum quo dicti Prefectus ballivi et consiliarij civitatis Edinburgi Colasterium in dicta sua civitate in omnibus eius articulis et capitibus erigendi libertatem et potestatem sibi concessam habent quod datum est tertio die mensis Julij Anno domini Millesimo sexcentesimo trigesimo secundo Atque volumus hanc presentem ratificationem esse eque validam acsi per expressum eadem presentibus insererentur de qua re nobis dispensare visum est PRETEREA nos cum consensu predicto Prefectis Ballivis et consiliariis omnium et singulorum burgorum regalium veteris regni nostri Scotie eorumque successoribus dedimus ac concessimus atque tenore presentium damus et concedimus plenam potestatem instituendi edificandi et sustentandi Colasterium in singulis suis burgis eorumque ditionibus in quovis loco pro ipsorum arbitrio et voluntate simul etiam et potestatem eligendi ac creandi Magistros officarios aliosque omnes servos in dictis Colasteriis et usurpandi ac exercendi omnes libertates ac privilegia que eiusmodi Colasterus debetur INSUPER consensu supradicto decernimus et ordinamus erroneos omnes validos ac robustos mendicos homines otiosos et sine heris corpore validos ad operandum idoneos intra annum etatis octavum ac sexagesimum servos dominis et liberos parentibus immorigeros dissolute viventes perfricte frontis altercatrices meritrices inemendabiles disciplinam ecclesiasticam nihil pensi habentes a dictorum burgorum magistratibus aliis que quibus id officij ab iis impositum fuerit apprehendendos in predicta colasteria conjiciendos et penas luant prout singulorum burgorum magistratibus visum fuerit et ut ibi maneant quam diu meritorum suorum ratione constitutum fuerit et ut cogantur eiusmodi operibus insudare Que

dictarum aedium magistri iis mandaverint eos que contenti esse victu et amietu quem eorum opera promereri existimabunt Ac in universum potestatem faciendi ac exercendi omnia et singula cum omnibus aliis libertatibus ac privilegiis que pro usu et consuetudine ullius alterius nostri regni cuius colasterio debentur Atque hec debito et convenienti modo ad cruces singulorum burgorum publicanda statuimus IN CUIVS REI TESTIMONIUM presentibus Magnum Sigillum nostrum appodi precepimus Apud Greinwiche decimo quarto die mensis Maij Anno Domini Millesimo sexcentesimo trigesimo quarto et anno regni nostri decimo.

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## APPENDIX XII.

INSTRUCTIONS GIVEN TO MR ALEX. GUTHRIE, COMMISSIONER TO THE KING.

(*Miscellaneous Supplementary*, I., No. 16.)

(See p. 123).

Instructions given to Mr Alexr. Guthrie commissioner for the burgh of Edr. in the maters concerning the toun be us undersubscriying at command of the counsall and deputt be them to that effect sett down the 20 of April 1633.

First after that the said Mr Alexr. sall have made offer to his Ma. of our service he sall schew his Ma. of the preparations maid for his royall receptione and to desyre informatione of what is farder requisit and in speciall what the provest sall carie befor his Ma. whither the sword or mais or both.

Item if his Ma. will hear sermon in the gritt church or not.

Item if the toun sall convoy him to the abbay or not.

Item he sall schew his Ma. what gritt chairges they ar drawin unto and quhat the meanes both of this toun and of the contrey and therfor to desyre in name of the toun the signature allready past his Ma. hands to be recommended to the chaker as also in particular to the chancellor or the principall or deputt and that his Ma. wald be pleased to conferme it in parliament.

Item that since his Ma. hes maid them shireffs of Leith and crowners etc therfor to desyre his ma. wald be act of parliament dissolve it from the shirefdome of Edr. principall and annex the same to the shirefdome of the burgh of Edr.

Item to procure that his Ma. wald be plised be act of parliament to conferme the jurisdictione of the gildrie and ordeane letters to pas upon ther sentences.

Item to procure the acts of parliament prohibiting the buying of fische before ellevin hours and transporting of the sam befor Michelmies to be discharged.

Item to proenre his Ma. promiseis of a generall pardone of all penall statuts including therin all acts of parliament that does not inflict ane capitall penceis-

ment baneishment or amputations of a member and because the delay of executione does draw the precept in ane neglect heirof therfor that the provest and baillies may execut the sam within their liberties and that ane yeir or tua expyryng after the committing of anye transgression the perpetrator not to be challenged therfor.

Item he sall deal with his Ma. anent the lawes maid for uncustomed goods and forbidden goods to trye if it be possibell that the aith of pairties may be remitted and that confiscatione may not be farder extendit than upon the forbidden goods or uncustomed goods and that year and day expyryng after the entrie of goods it sall not be lawfull to customers to call for the sam.

Item he sall informe his Ma. of the abuse of new customes at diverse pairts within this kingdome whairby mercats ar impeded and utherwayes layed upon wairs and therfor to desyre all such to be dischairged and non to have place bot such as ar agried unto be consent of the estaitt of whom the sam is takin or therby prejudged.

Item he sall informe his Ma. of justice airs chamberlain airs and stewart courts how unnecessar they ar for this tyme and to desyre the sam to be dischairged with the dischaarge of commissione of lieutenandries conforme to the act of parliament maid theranent.

Item he sall desyre the acts of parliament maid anent those that sould pay tax wathe and waird withlin burgh to be renewed with additione requisite for the farder clering and extensione therof.

Item if anye thing sall come to his knowledge that ther is anye questione maid anent the estaitt of the money he sall indeavour to have the same satled according as was devysed be the commissioners of the burrowes, otherwayes if he heir nothing mentioned theranent he sall pas the sam in silence.

Item he sall supplicat his Ma. for dischaarge of portage.

Item he sall desyre the acts of parliament to be renewed anent workmens work and wages and oslerres with additione of stablers and apointing of the pryces for jorney horses and setting maisters over them and apointing of ther fies and especiallie within Londoun and Edr.

Item he sall informe his Ma. of the gritt preyjudice of the crafts within burrowes who maks up ane gritt pairt of the burgh that they sustein be the suburbs and places near adjacent to them and desyre his Ma. that all work wrocht within thrie myll of ane frie burgh to be forbidden under pain of confiscatione to be brought within ane frie burgh bot onlie upon one mercat day in the weik and to be presented to the mercat to be visited and the proveist and baillies to execut this act.

Item he sall deal with his Ma. for ane act anent making of malt selling of aill beir or wyne or exercing ane craft within ane baronie without consent of the barone etc.

Item he sall desyre ane warrand of his Ma. for establissing the sessione and counsell within Edr.

Item he sall desyre ane act of parliament for the correctione hous.

Item he sall desyre of his Ma. ane act to incurage inbring of manufactures and freedome of custome or impositione therupon.

Item he sall desyre the act anent maltmen to be reformed conforme to his Ma. pleasure signified theranent.

Item anent all and everie ane of the particulars above writtin he sall advyse with the clerk of register and use his advyse therin and follow the sam according to the exigencie of the tyme in what is most important or what may as commodiouslie be exped heirafter.

Item in all things above writtin it sall be sufficient to him to obtain eache or such uther hed as the clerk of register thinks fit to be referred be his Ma. to the said clerk of register.

Item he sall advert diligentlie to all things that sall occure and have ane cair that the good toun suffer no preyjudice and sall use all his means for staying and preyvening the sam.

Item in those articles that ar generall and may pas best under the name of the wholl estait of the burrowes he sall use ther name as commissioner for them whairanent we doe give him full power and commissione.

(Signed) A. CLARK, provest.

JOHNE SINCLAIR, Baillie.

WILLIAME GRAY, Baillie.

JA. MURRAY, Baillie.

GEORGE BAILLIE, Baillyie.

JOSEPH MARIORIBANKS, dene of gild.

JAMES LOCHE, Thesaurer.

JOHNE MAKNACHT.

THOMAS QUHYT.

ROBERT MEIKILJOHNE.

WILLIAME DICK.

A. TOD.

JAMES MCCALL.

JAMES DENYELSTOUNE.

### APPENDIX XIII.

#### LETTER FROM GUTHRIE & GRAY TO THE MAGISTRATES.

(*Miscellaneous Papers, Supplementary I., No. 18<sup>2</sup>.*) (See pp. 123, 127).

Richt honorable and our verye good lords.

Since the ressaith of your last with Mr Johne Dick and our cumming hither both upon Fryday and Saterdag last we wer each tyme neir ane houre with his Ma. and notwithstanding we had presented our papers yitt nothing was motioned bot onlie the mater of the constable. The first miting the



constable was called bot nether could he be fund nor had he made answer to the articles sett down be us. Ther wes onlie present Mortone Stirling Tracquair and Register. His Ma. did dispute his pairt better then he could him selffe. The morne therafter the constabell was first hard ther being onlie present Stirling, Tracquair and Register, therafter we wer called and our articles red and his answers be his Ma. himselffe. As maters occurred we lykwayes spoke and after ane long contest in manye things his Ma. in the meane tyme judging of everie point both formallie and legallie as anye judge could doe we wer all removed. Now his Ma. is resolved in that debate and intends that heretable tittills sall be judged befor the judge ordinar bot we will desyre you to keip this quyet to your selffes till our warrand be signed. What may intervein we knowe not bot will leive the event to God. We have being much beholdin to our friends both publict and secreitt, the register and he we feir sall hardlie be again reconciled. We must in the interim have ane watchefull eye upon our adversar for he hes manye powerfull freinds. What assistance we had by your letters we sall relaitt at miting. This mater of the constabularie hes impeded our farder progres and we now urge ane answer to the rest of our papers. We find manye inclyned to our pairt anent Spynie bot hes as yitt gained no grund with his Ma. theranent. He sayes he is not resolved as yitt. We feir it mucche and so now does our freinds bot still we repose upon Gods assistance, how maters sall goe we sal acquaint you with the nixt occasione onlie befor we end we must schewe that ther is ane pitifull penurie of money and we ar plunged how to resolve anent your churches and Mr Hereotts debts. Canterberrie hes delt seriouslie and effectuellie with his Ma. for us bot necessitie hes no lawe. As for the rest of our purposes we have made so small progres that we will forbeir to wrytt theranent at this tyme.

Brichen his letter for Edr and Mr Thomas Sydserfe his for Brichen ar signed so if you think good yow may acquaint Brichen heirwith and protest for his freindship as you sall be readie to serve and assist his LL. in what you can and this we think necessar to be done if it sall pleis your LL. to think the lyk.

We much long to see your LL. and ar beginning to desyre to be at home with languor and thir effairs did requyre such as micht have better bein spaired from home and could have bestowed mor tyme to attend and had more credeitt than anye of us two, bot according to our tyme we sall indevor to doe what lyes in us to bring you content how ever maters sall goe ther sall be nothing God willing inlaking in our pains. For the rest we commit to God upone whome relaying we kis your LL. hands and rests.

Your most loving servants,

Greenwiche this 6 of May  
1634.

WILLIAME GRAY.  
Mr. A. GUTHRIE.

I will intreatt your LL. most earnestlie to speik the advocat Sir Lues and Mr Thomas Nicolsone at the resait heirot that they be for you in this actione contrar the constable for feir you be prevened. It wer good to arll the advocat.

We must intreatt your LL. to remember our service to the counsell to

whome we wold have writtin if we could have had such conveniencies as we desyre bot we expect your LL. will excuse us at ther hands and impairt so much as you think is necesar. We are infinitie obliged to the Erll of Traquair.

*Addressed to*

The richt honorable and our verye good lord Sir Alexr. Clerk of Pitten-eiffe. Lord Provost of Edr and the baillies therof—these.

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#### APPENDIX XIV.

##### GIRNELLING IN LEITH.

(*Miscellaneous Bundles, Supplementary I., No. 14.*)

(*See pp. 86, 93 and App. X.*)

Apud Halyrudhous primo die mensis aprilis anno domini Millesimo Sexcentesimo Trigesimo.

Forsameikle as the burgh of Edr. haiffing laitlie recoverit ane decreit before the Lordis of Sessioun against some of thair vassallis inhabitants of the Toun of Leith dischairging theme of girnelling of victuall within the said Toun and a number of the Nobilitie and gentrie from the severall pairtis of this kingdome being heir for the tyme and upone informatioun givin to theme of the said decreitt apprehending thair awin prejudice thairin seing however it seames to reflect bot against a few number of the vassallis of Leith yit the executioun thairof will in consequence reache to the publict of the estait and draw the haille victuall of the Kingdome quhilk formerlie was coft be the inhabitants of Leith and girnellit be theme in the handis of a few number of Edr. to be bocht and sauld be theme at their appetyt And this being representit to the lordis of Secreit counsall and they haiving taikin the same to thair consideratioun as a mater of estait importing the publict of the kingdome whitch they are bund in dewtie and justice to prefer to all privatt respectes and haiveing advysedlie examinat and remerkit quhat may be the event and consequence of the said decreit and how far it may reache and be extendit against the publict of the estait if the executioun thairof be prosecut and followit out The saids lordis efter long reassoning and mature and guid advyse and deliberatioun hes fund and be the tennor heirof findis and declares that the stopping and debarring of the inhabitants of Leith frome girnelling of victuall according to the lawis wald be verie praejudiciall to the Noblemen and barronies both in the north and west cuntrey and will occasioun ane forbairance of buyeing of victuall frome these in the north and of selling of the same to these of the west at exorbitant raittes to the gritt hurt of the commoun weill And thairfore the saids lordis hes fund it meit and expedient concludit and ordanit that the executioun of the said decreit salbe stayit for

a certan tyme till the saids lordis give farder ordour and directioun theranent and ordanis the maissar of the counsall to pas and mak intimatioun heir of to the proveist and baillies of Edr. and to command and chairge and inhibite theme that they on nowayes presume to putt the said decret to executioun till the saids lordis give farder directioun thairanent as they will answer upone the contrarie at thair perrell under all hiest payne that be course of law can be inflicted upoun theme for thair dissobedience. . . .

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## APPENDIX XV.

### GENERAL ASSEMBLY AT GLASGOW IN 1638.

#### LETTERS FROM THE EDINBURGH COMMISSIONERS TO THE TOWN COUNCIL

(*City Muniments*, Box 7, Bundle 6.)

(*See* pp. 209, 210, 212).

(1) My Lord Provost baillies and counsall,

Our deuti and service rememberit. Thair hes bein hear bot one sessioun in the day quhilk hes interrupted us to give accompt of any occurrents till now. The particulers till this mornying pleas resave hearinclosit. The Kings commissioner this day hes causit read sum protestationes givin in be sum prelat and uthers ministers thair adherents (of the quhilk nomber four of our divynes Hanna, Thomson, Mitchell, Fletcher wer includit, the nomber was I think nocht four tymes alsmony) againes reuling elders as incapable to give voyce in electioun of commissioners fra presbyteries and unwarranted be scripture or antiquiti to woyce or be members in a generall assemblee. Quhilk was reffuttit as contrai to the custom of our Kirk and dyverse reformed churches, as the Frenehe and Fleames Churches etc. and cannonik scriptures. The history of our Kirk sen the 1660 (*sic*) year till the 1617 year in four volum viewed and sighted be diverse of the ancient of the ministeri and famous clerks found perfynt and authentick wer exhibit. The Kings commissioner is to relait quhat forder he hes nocht communicat to the assemblee the morne. Craiveing pardon for our prolixnes we rest.

Your lordships willing feinds and servands,

Glasgu  
27 No<sup>r</sup>. 1638.

J. COCHRANE.  
THOMAS PATERSONE.

(2) Richt honorabill

Our dewti and affectioun rememberit. We are loath to slip tyme in nocht acquenting your Lo<sup>ps</sup> quhat hes past this day. The moderatour inquyrit at the Kings commissioner if he sould ask the judgment of the assembli quhither

they fand them selfs judgis till ony thing sould present thair. Quhilk the Marques did interrupt to be voyceit and thair did signifi his Maties pleasor in sum articles desyryng them to be registrat in the assembli buiks (quhairby it was presumit he did acknoledg the judicatori). The particulars as we remember, his Matie did discharg the service buik and commone prayers and for his subjects mistaking of the high commissioun he did lykwayes discharge the samyn as for the fyve articles of Perth he did dispence with nocht practisers therof and quhat forder was to be doin his Mati remittit the consideratioun thairof to the generall assembli. Lastli for preservatioun of the religion in puriti so oft as the Kirk sall think expedient warrand salbe to indict generall assemblies. And that bishops sable restrictit in the admissioun of ministers to the acts of parliament. Sum uther passages past and the commissioner arose. Than in a unanimous voice they fand tham selfs judgis (excepting Sir Jon. Carnagi and the commissioners for Aberborthik) and promised all to continou during the assembli. My Lord Erskin with tua straingers publictli requyrit the covenant and did subscriyve. It is Gods work to this tyme he in his gud tym will accomplish our desyrs. Be nocht dismayit if any uther surmises sall cum to your hearing. Loik to your toun in the fairest and surest way. This for diligence we have doin to preyvent any misreport. The morne one sall cum with better intelligence. However the Marques hes desertit this meating alledging things doin the contrair to his instructiones. We trust God will perfyt his oun work. We rest in haist.

Your Lo. freinds and servands,

Glasgu,  
28 No<sup>r</sup> 1638.

J. COCHRANE.  
THOMAS PATERSONE.  
J. SMYTH.

### (3) Right Honorable

Theis is to geife your Lo. and counsell informatione quhat hefe beine doune in theis assemble sence our last advertisment of your Lo. with ane act of the assembleie for the silencing of the dyne, Thomsone and Flescher and ane commessione to ane commettie to seit at Edr. for the depossing of theme thrie as also to tak order with doctor Eliot according to heis deserving quhilk we did send to your Lo. with ane post drect frome heir at tene howers on Fursday last bot as yeit he hefe not retornet to us <sup>1</sup>. And geife their be onay thing forder that ye wald hefe heir to be doune be us your Lo. will do weill to hefe us in tyme advertiset for we do think that the assembleie sall not seit longe oever this weik and committing your Lo. to the mercie of God we do rest.

Your servandis to power,

Frome Glasgow the  
9 of De<sup>r</sup> 1638.

J. COCHRANE.  
THOMAS PATERSONE.

<sup>1</sup> There is a possible enclosure, the Minutes of the 10th, 11th and 12th Sessions, during the last of which a committee of twelve ministers and twelve ruling elders was appointed.



## (4) Right Honorabell

Thes is to gefe your Lo. informatione of quhat heir hefe beine doune in this assemble sence our last advertisment of yowr Lo. with the baillie Robert Fliming as their inclosatis will gefe informatione at lenthe.<sup>1</sup> And the assemble this efternoone hefe geivine order to the moderator to preiche the morne in the gret kirk ; and ther solemlie to excommunicat aucht of the beshopis to wit, Santandrois, Glesgow, Gallowa, Brichene, Ros, Dumbleine, Edr. and Aberdeine.<sup>2</sup> Ther be tua to wit, Dunkell and Catnes ar obsoletlie depossit frome ther beschopriks bot to be continowed in their menestrie if they sall mak manifest ther repentance for thais tua hefe submettit theme selfis to the assemble and hefe leid doune ther beschopriks at the assemble ther feit. The rest ar absolutlie deposit boithe frome ther beschopriks and all excerseis of their menestrie. Tomorrow we are to geife in to the assemble our supplicatione for ratefeing the good tounis lebertie in the eleicting and bringing menisters frome quhat some ever pert of the kingdome,<sup>3</sup> we sall adverteis yow of our ansuer quhane we sall get it, and we do commet yow to the mercie of God. We do rest.

Your servands to power,

Frome Glasgow,  
the 12 of December 1638.

J. COCHRANE.  
THOMAS PATERSONE.

## (5) Right honorabell.

We hefe resevit frome Lowk our post your L. letter with ane aict of the eleitione of Mr Alexr. Hendersone our minister. Robert Flyming quhane he was heir he declarit to us your mynd heirin that we sould seik warrand frome the assemble for heis transportatione to our kirk quhilk we did with all possible deligence, and on Setterday last geife in our supplicatione to the assemble to that effect with the most forsabell ressoneis we could devayse.<sup>4</sup> Bot on the Fryday befor (quhech was the day of Robert Flyming hes deperter frome us) the commissioner for the toun of Santandros representit the steit of their desolat cetie to the assemble, and crevit that Mr Alexr. Hendersone sould be transportit to Sanctandros, quhilk we did oppos becaus that he was our schochine menister already, suo that now we do stand in competisone with the toun of Santandros anent him (and thei want not ther owne freinds in the assemble and we ar stryvine to mak alse money freinds as we may, the event is doutsome) bot we hefe houpe and how so ever now we most follow our pourpos, being necessitat ther to as said is. Ye sall resafe heirin the lybells agenes your menisters and caus soit theme be gevine of ane copie to elk ane

<sup>1</sup> Probably the summary of the proceedings of the 17th, 18th and 19th Sessions of the Assembly (Box 7, Bundle Six, No. 5). See following document.

<sup>2</sup> The sentence of excommunication was pronounced by Mr Alex. Henderson, Moderator, on 13th December, according to the Minute of Assembly.

<sup>3</sup> *Hist. Scots. Affairs*, vol. ii., pp. 154, 163.

<sup>4</sup> In the 24th Session the Assembly supported Edinburgh's claim to the appointment of Mr Alex. Henderson.

of theme, with all possibell deligence efter yowr reseit therof befor witnes. The day of comperance is the tuentie sex day of this instant. Be carfull to informe your selfis of all things that cane be leid to oney of ther scharge agens our comming (quhilk we expeict sall be God willing the end of thes weik). And committs yow to the protectione of God almiehtie.

We do rest yowr servands to power,

Frome Glasgow the  
17 of Deir. 1638.

J. COCHRANE.  
THOMAS PATERSONE.

(6) Reight honorabell

This is to hefe yow informat of quhat heife procedet heir in theis assemblie sence our last informatione according to the noet heirincloset as also ye sall resefe ane act of the assemblie for the suspending and silencing of the deine, Thomsone and Flecher being warrand of ane commissioner to ane comite to sit at Edr. at the ending of this present assemblie, for the deposseing of theme thrie as also with power to theme to tak order with doctor Elliot according to heis demerite.<sup>1</sup> Quhilk pleis yow at the reseit theirow to caus the officers of their kirks mak intematione them thrie their of; befor famous witnes and notter: and delyver to them thre everie ane of thame thrie ane coppie theirow; and caus tak instrumens their upone. The day immedatlie efter the extracting heir of we thoicht it expedient to send thes berer expreslie to yow ther with as ane thing longed for be yow and will gefe contentment boithe to your Lo. and the holl popele for the present as we houp. And committing yow to the protectione of God almiehtie we do rest

Your servands to pouer,

Frome Glesgow the 26 of  
December 1638 at tene houers.

J. COCHRANE.  
THOMAS PATERSONE.

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## APPENDIX XVI.

LETTERS OF GIFT BY CHARLES I. TO THE TOWN COUNCIL OF THE POWER OF  
EXTENTING FOR BUILDING TWO CHURCHES, AND REMISSION OF PENAL STATUTES.

(*Historical Charters*, No. 88.)

(See p. 168.)

CAROLUS Dei gratia Magne Britannie Francie et Hibernie Rex fideique  
defensor Omnibus probis hominibus suis ad quos presentes littere pervenerint  
Salutem. Sciatis quum liquido nobis constet bonam nostram civitatem de  
Edinburgh in bonis et laude dignis suis consiliis ad Dei gloriam promovendam  
ad mandata nostra exequenda atque ad patriam suam preclaris operibus

<sup>1</sup> Done in the 22nd Session of the Assembly.

structis exornandam constanter persistentem nostro rogatu aedes sacras in dicta civitate extruendas et templi egidiani fabricam in eadem instaurandam pie suscepisse Nos considerantes publicum ejusdem civitatis patrimonium multis oneribus gravatum esse et ad substructiones predictas promovendas summe necessarium esse dicte civitati civium suorum dicti burgi incolarum sub-sedum habere eaque de causa senatus consulto dicte civitatis constitutum esse ut singuli cives sui burgi incole antedicti censerentur in modica summa pecunie in usus antedictos Propterea ratificasse approbasse et hac presenti letera nostra confirmasse Tenoreque eiusdem ratificare approbare ac pro nobis et successoribus nostris pro perpetuo confirmare predictae civitatis Edinburgene constitutum lie act in usum antememoratum factum datum decimo septimo die mensis Octobris proxime elapsi in singulis eius capitibus articulis et clausulis Secundum formam et tenorem eiusdem dummodo decernentes et declarantes hanc presentem nostram ratificationem eque validam et sufficientem omni respectu esse et fore ac si predictum constitutum lie act de verbo in verbum presentibus insertum esset de quo dispensavimus ac pro nobis et successoribus nostris dispensamus in perpetuum Et Nos ex auctoritate nostra regia propria sponte et certa notitia de novo damus et concedimus predictis Prefecto Ballivis et consilio civitatis Edinburgene plenam potestatem procedendi at censendos predictos suos cives et incolas dicti nostri burgi secundum predictum constitutum lie act Et similiter nos considerantes statum publicum dicte civitatis nostre Edinburgensis et quanta onera susceperint et quotidie suscipiant ad multa bona opera publica in dicta civitate perficienda eorumque promptitudinem ad voluntatis nostre quantum in ipsis erat exequutionem promovendam atque inde patrimonium publicum ejusdem civitatis nostre impendiis exhaustum esse Et volentes regia nostra gratia in ipsis patefacta ad operam robis prestandam animosiis dare Damus et concedimus pro nobis et successoribus nostris plenam et liberam condonationem veniam et remissionem omnium penaliū statutorium per nos aut quovis regales nostros progenitores factorum ullo tempore preterito contra transportationem monete eiusque transportatores predictae civitati Edinburgensi burgenses et incolis pro transportando et transportari faciendo ullam monetam auream aut argenteam excusam aut non excusam lie cunzeit or uncunzeit ex regno nostro Scotie et pro nobis et successoribus nostris prohibemus et interdiciamus omnem actionem penam punctionem mulctam eschaetam et crimen quodcumque intendendum et prosequendum ad instantiam nostram aut instantiam alterius cujusvis persone aut personarum habentis aut habentium potestatem aut quod illis aut alicui illorum ullo modo quocumque infligi potest ratione ullius predictarum contraventionum ullo tempore preterito. In cujus rei testimonium presentibus magnum sigillum nostrum apponi precepimus. Apud Whythall decimo nono die mensis Januarij Anno domini sexcentesimo trigesimo sexto Et anno regni nostri undecimo.

## APPENDIX XVII.

SIGNATURE OF THE GIFT OF THE MERK PER TUN AND PER PACK.<sup>1</sup>*(Historical Charters, No. 90.)**(See pp. 180, 181.)*

CHARLES R.

Oure Soverane Lord calling to mynd the mony services done be the provost baillies and counsall of Edinburgh since his entrie to the Crowne in undergoing all his Ma. royall commandementis as also the mony publick workis done be thame for decoiring thair citie the grit charges depursit be thame in his Maties royall entrie to the same and als in building of lairge and fair housis for recepcioun of the estatis of parliament the lords of his Maties privie counsall and the lords of Session and als for the judges of criminall causes and last that they haif undertakin to build tuo churches on in the northwest the uther in the southeist parochins of the said burgh and to repair the edifice of St. Geillis Church within the same And his Ma. out of his royall bountie willing thame to be encouraged to go forwart with cheirfulnes in these guid workis and utheris his Ma. services hes resolved to give and grant unto thame and thair successoris for incres of thair commoun guid ane monument of his Ma. royal bountie And thairfor ordanis a letter to be maid under his hienes grit seall in dew forme giveing granting and disponsing and for his hienes and his successoris perpetuallie confirmeing to the saids provest baillies counsall and communitie of the said burgh and thair successoris a custome of threttene schillingis four pennyis scottis in all tyme cuning out of everie tun and pak of all guidis brocht within the Kingdome of Scotland be whatsoevir merchantis burgessis inhabitantis of the said burgh of Edinburgh or brocht be ony uther persone whatsoevir native or stranger alsweill inhabitantis as not inhabitantis within the said burgh of Edinburgh from whatsoevir pairtis outwith the boundis of Scotland ather be sea or land and inbrocht to and within the toun of Edinburgh townes of Leith and Newheavin with power to the saids provest baillies and counsall and communitie and thair successoris and factoris and servantis in thair names to ask crave uplift and ressave in all tyme cuning the said sowme of threttein schillings four pennyis out of everie tun and pak of all guidis brocht within the Kingdome be whatsoevir merchantis burgessis and inhabitantis of the said burgh of Edinburgh or brocht be ony uther persone whatsoevir native or stranger alsweill inhabitantis as not inhabitantis within the said burgh of Edinburgh from whatsoevir pairtis outwith the bounds of Scotland ather be sea or land and brocht to and within the toun of Edinburgh townes of Leith and Newheavin and within ony pairt of the libertie of the said

<sup>1</sup> This signature, of which no charter is extant, only differs from the actual letters of gift, dated 19th January 1636, in that the impost of the merk per tun and per pack is given in perpetuity, instead of during the King's pleasure.



burgh and of the saids portis of Leith and Newheavin sicklyke and als frielie as they ar in use of uplifting thair uther customes within the said citie and priviledges thair of commanding heirby the Lords of his Ma. counsall and sessioun to give and grant letters of horneing and poynding at the instances of the said provost baillies counsall and communitie of the said burgh of Edinburgh for causing thame and thair thesaureris present and to cum to be thankfullie answerit obeyit and payit of the said soume of threttein schillings four pennyis during the said space out of everie tun and pak of all guids brocht within the said Kingdome of Scotland be whatsoevir merchantis burgessis and inhabitantis of the said burgh or brocht be ony uther persone whatsoevir native or stranger alsweill inhabitantis as not inhabitantis within the said burgh from whatsoevir pairtis outwith the bounds of Scotland ather be sea or land and brocht within the burgh of Edinburgh tounes of Leith and Newheavin and within any pairt of the liberties of the said burgh and of the saids portis of Leith and Newheavin in sick dew and competent forme as effeirs Ordaining the said letteres to be furder extendit with all clausis neidfull and preceptis to pas heirupoun. Gevin at Whythall the sevintene day of Maij the yeir of God j<sup>m</sup>vj<sup>o</sup> threttie sex yeiris.

(Signed) TRAQUAIRE Ther. Glasgow.

THE B. OFF GALLOWAY. JO. ROSSEN.

Val. BRECHINEN.

ROT. SPOTTISWOODE.

J. HAY.

J. BALCOMYE.

CRANSTOUNRIDDELL.

CRAIGHALL.

— STRACHAN.

Please your Sacred Matie,

These containis ane grant to the proveist and baillies of Edinburgh and thair successoris perpetuallie for supplie of thair great charges undergane in your Maties service and for building of the hous of Parliament counsell sessioun and criminall justice of a dewtie of threttene schilling four pennies scottis of every tun and pack of goods brocht within Scotland ather be the burgesis of the said City or by any uther persone quhatsoevir native or stranger alsweill inhabitant as not inhabitant of the said City of Edinburgh from whatsoevir pairtis without the bounds of Scotland aither be sea or land and brocht within the said City and tounes of Leith and Newheaven or within any pairt of the liberties of the said City and poirts with command to the Lords of Counsell and Sessioun to grant lettres for answering of thair Thesauraris of the said soume out of every tun and pack as saidis.

(Signed) Sir THOMAS HOP.

## APPENDIX XVIII.

## CONTRACT FOR THE SALE OF THE BARONY OF BROUGHTON.

*(Historical Charters, No. 91.)**(See p. 181.)*

CHARLES R.

At Edinburgh the Aucht day of August the yeir of God i<sup>m</sup>vj<sup>c</sup> threttie sex yeiris It is aggreit be minute of contract that thair sall be ane contract drawin up betwix ane noble erle Robert Erle of Roxburgh etc. with consent of the Kingis Matie for his Maties richt and entres And his Matie for himself and his awin richt with consent of the Erle of Traquair thesaurer and remanent lordis of exchekker in the ane pairt And the provest baillies ministers and counsall of the Citie of Edinburgh as feoffis in trust and governors of Heriots hospitall And als the saidis provest baillies and counsall of Edinburgh for thameselffis and thair successors representing the bodie and communitie of the guid toun of Edinburgh to thair awin behuif respective on the uthir pairt in maner following That is to say forsamekle as the Erle of Roxburgh standis heretablelie infest in all and haill the landis and baronie of Brochtoun with frie regalitie chappell chancellarie superiorities and uthers contanet in his lordships infestment thairof Lykeas be contract past betwix his Matie with consent of his hienes thesaurer and Lordis of exchekker on the ane pairt and the said Erle of Roxburgh on the uthir pairt of the dait the nyne and fyft dayis of Junij and August 1630 yeiris The said Erle sauld and disponit to his Matie the said baronie of Brochtoun with the superioritie and regalitie thairof and uthers thairin contenet And that for the sowme of Ten scoir aucht thowsand nyne hundreth merkis for payment quhairof His Maiestie wodset to the said Erle of Roxburgh the saidis landis and baronie of Brochtoun and uthers thairin mentionat under reversion of the sowme of ane hundreth aucht thowsand nyne hundreth merks and als thairby his Matie obleist himself to pay the sowme of Ane hundreth thowsand merkis and annuelrent thairof in maner continet in the said contract Quhilk contract and infestments following thairupoun Ar ratifeit in parliament in the moneth of Julij i<sup>m</sup>vj<sup>c</sup> Threttie thrie and exceptit from his Maties generall revocation and from all actis of parliament maid in the said moneth of Julij i<sup>m</sup>vj<sup>c</sup> threttie thrie yeirs introducit in favours of his Maiestie anent the superiorities of erectiones and regalities of Kirklandis Lykas his Matie with consent forsaid declairis that the declaratioun in favours of the Erle of Roxburgh subioynit in the latter pairt of the threttene act of the said parliament intitulat anent the regalities of erectiones wes is and sall be in all tyme cumyng undirstude as insert and repeillit in the subsequent act fourtene intitulat anent superiorities of Kirklands; AND Forsamekle as his Matie out of the tender respect quhiche he hes to the advancement of the said Citie of Edinburgh and to the satling and provyding of the estait and rentis pro tanto of the said hospitall callit Heriotis hospitall hes bene gratuslie pleasit to mak offer to the saids provest baillies ministers and counsall of the burgh of Edr. as feoffis in trust in maner forsaid And als to the saids provest baillies and counsall for thameselffis and thair successouris representing the

bodie and communitie of the said burgh off the richt of the saids landis and baronie of Brochtoun superiorities and regalities and uthers mentionat in the said Erle of Roxburgh his richtes and infestments quhilt wes redimable be his Matie fra the said noble erle be the said contract and hes earnistlie desyret thame to accept of the said offer : THAIRFOIR the said toun of Edinburgh and ministers foirsaidis Ar content in all humilitie to accept of the said offer for obedience of his Maties desyre to the uses respective befoir and eftirmentionat according to the divisioun following, And to that effect the said Noble Erle of Roxburgh sall be the said contract to follow heirupoun with consent of his Matie and his Matie with consent forsaid and with consent of the said Erle of Roxburgh ane thay baith with ane consent sell annalie and heretable and irredimable dispoine to the saids provest baillies and counsall for thameselfis and thair successours representing the haill bodie and communitie of the said burgh All and haill the particular landis superiorities regalities and uthers efter following Viz. the burgh of regalie of the Cannogait, that pairt of the toun of Leith lyand on the north syd of the water and brig of Leith and that pairt of the said toun of Leith lyand on the south syd of the said water sumtyme pertening to the abbacie of Halyrudhous and now to the said baronie of Brochtoun With all and haill the village houssis and yairds of that pairt of St. Leonards landis callit the lands of Deiraneuch alias Pleasance with the haill privilegis offices liberties and uthers belanging thairto and pertinentis And all the particulars foirsaidis to be designit according to the said erle and his authors richts and infestments And sicklyk excepting furth and fra the said dispositioun these sex tenements of land with houssis biggings yairds and pertinents thair of lyand contigue within the burgh of the Cannogait on the south syd of the hie streit thair of Betwix the lands sumtyme pertening to umquhill David Scrogie and now to the airis of umquhill Jon. Thomsone upon the west, the lands pertening to the airis of umquhill Jon. Blak upon the eist, the hie gait upon the north and the lands of Dischflat upon the south pairts Quhilks ar declairit to pertene to the said noble erle To be haldin of his Matie Provyding that the said exceptioun nawayis include the richt of the regalie nor jurisdiction thair of Bot notwithstanding that the saidis tenementis exceptit be haldin of his Matie and his jurisdiction and his hienes successors zitt the samyn and inhabitantis thair of sall be lyable to the regalie and jurisdiction thair of as the samyn wer of befoir And with this expres declaratioun That in cais it sall happin the said noble erle his airis and successors to annalie and dispoine the saidis tenementis exceptit to ony persone or persones being of the qualitie of merchandis traffeais or craftismen or of ony uther qualitie inferior to ane nobleman or gentilman not exercing trafique That than and in that caice The saidis tenementis exceptit and richt of superioritie thair of sall pertene to the said guid toun and thair successors To be haldin of thame in all tyme thair efter notwithstanding of the reservatioun abone specifiet To remane with the guid toun in all tyme cuming for the common weill and profit of thair burgh And to that effect incaice forsaid the said noble erle and his foirsaidis sall be haldin to resigne the same in his maties lands and his successors And his Matie is gratuslie pleasit for himself and his successors to resave the said resigna-

tioun in favours of the toun of Edr. and to grant new infeftmentis thairupoun To the end that the toun may dispoñe the same to the saids persones to quhom the said erle sall sell and annalie the same and to be haldin of the toun in all tyme cunying as thair immediat superiors : And siclyk the said Noble erle with consent of his Matie and his Matie with consent forsaidd and with consent of the said erle Sall sell annalie and heritable and irredimable dispoñe to the saids Provest baillies ministers and counsall feoffis in trust abonedesignit to the use and behuif of the forsaidd hospitall callit Heriotis hospitall All and haill the lands mylnes superiorities few dewties and nthers eterspecificet, viz. All and haill the toun and lands of Brochtoun with the walk myln and landis callit Walkmynlunds, Battilhauchis, the lands of Wrichtislunds, the landis callit Godbairnes croft, the landis of Harlaw and Barbourland, the landis of Pendreich, the landis of Freirtoun, the lands of Blakspittell, the lands of Foirstpittell, the landis of Lochflat, the landis of Meldrumshench, the landis of Coittis, the landis of Lochbank alias Halkerstounes croft, the landis of Quhytcroft, the landis callit Fergusones croft, the lands of Warestoun, the lands of Bonytoun, the landis of Hilhousefeild, the lands of Pilhig, the lands of Flures, the lands of Ernsyd, the landis callit St Leonards lands (Except the saids village housis and yairds of that pairt of the saids lands of St Leonards lands callit the land of Deiraneuch alias Pleasance disponit in maner foirsaid to the said guid toun of Edr. and thair successors) lyand within the sherefdom of Edr. principall, the lands of Littill Fawsyd lyand within the constabularie of Hadingtoun, the landis of Slipperfeild, the lands of Middilthrid, the lands of Lochthrid lyand within the sherefdom of Peibles with castells tounis fortalices manerplaces housis biggings yairds orchairds mylnes multours, wodis lochis fischingis fermes fewfermes caynes customes tenents tenandries service of frie tennents annexis connexis pairtes and pendicles of the foirsaid landis with the pertinentis lyand as said is And als all and haill these baklands callit the Croshous of the tenements of the chaplainrie of the Holy Virgin Marie foundit of auld be umquhill Johnne Eistoun curat within the Kirk of Halyruidhous and in the paroche ile of the samyn and siclyk all and haill these twa tenements of land newlie biggit be umquhill Jon. Kirloch and his spous The ane thair of lyand on the eist pairt of the clos of the said land and the uther upon the south syd of the said clos with the yairds orchairds kaichpeill baikhous biggings lyand contigue and housis with frie ische and entrie to the same be the fairpairt and fairport of the wester tenement of the saids tenements And als that tenement of land lyand neir the commoun hie streit Betwix the tenement [ ] upoun the eist and the tenement pertining to Johnne Boig upon the west pairtes with all and sindrie pertinents of the samyn lyand within the said burgh of the Cannogait upon the south syd of the hie streit of the samyn Betwix the baklandis of the said tenementis sumtyme occupyit be Robert Beaton of Creich thairefter pertening to the airis of umquhill William Broun gairdnar and Alexander Moreis burges of Edr. respective on the north, The tenement and yaird sumtyme pertening to umquhill William Lawfreis thairefter pertening to umquhill Elizabeth Johnnestoun and thairefter pertening to umquhill Edward Weir on the eist. The yaird of the tenement sumtyme pertening to umquhill Johnne Crawford



thairefter pertening heretable to unquhill Johnne Kinloch and his spous upon the west and the strand on the south pairtes Quhilk baklands of the said chaplainrie of the Virgine Marie and tenementis immediatlie abonewrittin ar befoir designit in the exceptioun abonspecifiet furth of the said dispositioun maid to the said guid toun for thameselffes under the name of Kinloches ludging with the Kaitechpeill lyand thairto and thair pertinentis Lykas the said Noble Erle with consent foirsaid and his Matie with consent foirsaid and with consent of the said Erle sall dewlie and lawfulie infest the saidis provest baillies and counsall and communitie and the saids provest baillies ministers and counsall as feoffis in trust foirsaid respective in the hail particular landis superiorities regalities mylnes tenements and uthers abonedisponit in maner abonedevydit be tua several infestments Ane to be held of the said Erle himself blensch and for payment of the dewties continet in his richts and infestments payable to his Matie effeirand to the lands and uthers disponit and the uther of the saids infestments to be haldin of his Matie for payment of the saids dewties continet in his infestmentis efeirand to the lands and utheris disponit as said is : With claus of warrandice to be continet in the saids infestmentis lykeas the said noble erle sall be haldin and obleist to warrand all and sindrie the saidis mylnes callit the Cannomylnes with the mylne lands thairof, housis biggings and suckin of the same, the mylnes laitlie biggit be Dame Elizabeth Ker, Lady Brochtoun and Sir William Bellenden sumtyme of Brochtoun hir sone upon the landis of Cannomylnes commonlie callit the New mylnes with the aikers lyand thairto, the said Walk mylne and lands callit the Walkmylne lands and Battilhauchis with thair pertinentis And the saids tenements Kaitechpeill yairdis and uthers sumtyme belonging to the said unquhill Jon. Kinloch to be in propertie and the remanent landis burgh of baronie toun privilege of regalitie offices and uthers abone specifiet in superioritie and to be frie and saif fra all factis and deids done be the said noble erle and fra the deids of the saids Sir William Belleden, Dame Elizabeth Ker his tutrix, Sir James Bellenden his father, Sir Lues Bellenden his guidsir and Sir Jon. Bellenden his gransir Exceptand alwayis furth and fra the said warrandice of the landis disponit in superioritie all and sindrie infestmentis preceptis of Clare Constat preceptis upon retours confirmationes infestments upon apprisingis and utheris factis and deids done be the said noble erle and the said Sir William Bellenden and remanent thair authors and predecessors foirsaidis to and in favours of quhatsumevir persone or persones of ony pairt of the lands mylnes and uthers abonespecifiet quhairof the said Erle is obleist to warrand the superioritie as said is Quhilks infestments precepts and uthers abonespecifiet sall nawayis be comprehendit undir the said noble erle his warrandice bot sall be speciallie exceptit thairfra But prejudice alwayis to the saidis provest baillies and utheris foirsaidis to quarrell and impugne the saidis richtes Provyding the samyn infer na wariandice againes the said erle and his saidis authoris And siclyk excepting furth and fra the said warrandice the said Erle his subscriyving of the generall submission maid anent the surrenders maid to his Matie of the Kirklands within this realme Quhilk also sall nawayis be comprehendit under the said warrandice In sa far as the samyn may infer ony actioun trouble

or distress to the said noble erle and his foirsaidis Provyding that this exceptioun from the said warrandice be na prejudice to the guid toun of thair richt of the saids superiorities and uthers foirsaidis disponit be his Matie with consent of the said erle Lykas his Maiestie with consent of his hienes thesaurar foirsaid declaires that the exceptioun abonespecifiet of the subservyng of the said generall surrender sall nawayis infer ony prejudice or dirogatioun to the full perfyte and absolute richt of the saids superiorities and uthers foirsaidis annaleit and disponit with consent of the said Erle of Roxburgh in maner abonespecifiet And the said Erle with consent of his Matie and his Matie with consent forsaid and with consent of the said Erle sall denude thameselfis *omni habili modo* of the richt of the saids lands and uthers forsaidis In favouris of the provest baillies ministers and counsall foirsaid *nominibus quibus supra* ay and quhill ane perfyte richt be establischt in thair persones And farder the said Noble erle with consent forsaid Assignes the provest baillies etc *ut supra* In and to the haill rentis mailles fermes fewfermes multours teyndis profiteis emolumentis and casualties of the haill premissis of this instant crop and yeir of God i<sup>x</sup>v<sup>j</sup><sup>c</sup> threttie sex yeirs Witsonday and Mertimes termes thairof And consentis that thay sall enter to the exerting of the haill jurisdictiones liberties and privilegis belonging to the superiorities regalitie and uthers particularlie and generallie abonespecifiet instantlie And sielyk the said noble erle with consent of his Matie and his Matie with consent forsaid maks and constitutes the saids provest baillies and counsall of Edinburgh and thair successors and als the saids provest baillies ministers and counsall as governors of Heriots hospitall and their successors respective cessionars and assignayis in and to quhatsumevir contracts bands dispositiounes renuntiatiounes resignatiounes decreites and uthers richtis titilles and securities quhatsumevir maid be quhatsumevir persone or persones to the said erle or his authois fra quhom he hes richt or consavit in thair favouris off and concerning the lands and uthers foirsaidis in maner particularlie abonedevydit and ather of thame according to thair richtes thairof respective And specialie but prejudice of the generall assignatioun foirsaid The said Erle with consent abonespecifiet maks constitutes the saids provest baillies and counsall of Edinburgh and thair successours cessionars and assignayis in and to the decreitt recoverit at the instance of the said Sir William Bellenden than heretable proprietar of the lands baronie and regalitie abonespecifiet Aganes the burgh of the Cannogait of the dait the twentie ane day of Junij the yeir of God j<sup>m</sup>v<sup>j</sup><sup>c</sup> twentie fyve yeiris befor the lords of Sessioun finding him to have richt to the creating of magistrates resaving of new tennentis and entering of airis containing certane uthers heidis consavit in favours of the said Sir William quherunto the said Noble erle hes richt fra him ; haill heidis clausis and conditiones continet in the said decreit And in and to all uthers decreits richtes and securities grantit or consavit in favours of the said Sir William or of the said erle or ony uthers his authois of and concerning the haill premissis heirby disponit or ony pairt thairof And of all transfer his haill richt of the samyn in thair favouris And it is condiscendit and aggreit be thir presentis That bis sacred Maiestie and officers of estait and uthers in his Maties name Sall enter his hienes in posses-

sioun of chusing of the magistratis and all uther office men within the said burgh of the Cannogait at Michaelmes nixtocum To the behuif of the said guid toun of Edinburgh and with thair consent and suche as thay sall nominat and for suche space as thay sall pleis And the said Noble erle sall produce ane sufficient progress and course of evidentis in his awin persone and his authoris And sall warrand the resavers of all bygane taxatiounes fewdewties annuities and uthers burdings imposit upone the premis beirby disponit off all yeirs preceeding the crop j<sup>k</sup>vj<sup>o</sup> threttie sex yeirs and to produce dischargis to that effect Lykas his sacred Maiestie for him and his successors faithfullie promittis *in verbo principis* To ratifie and approve the present richt and securitie and infetments following thairupoun in the nixt parliament and to dissolve the lands mylnes superiorities and uthers abonespecifiet disponit in maner forsaid from the Crown and mak and grant new infetmentis thairto to the said guid toun And becaus the lands mylnis and uthers disponit in propertie as saidis ar burdenet with certane annuelrentis and wodsettis Thairfoir the said noble erle binds and obleis him and his foirsaidis to purge the same betwix and the second day of Februar nixtocum and to that effect to purches renuntiationne and grantis of redemptiounes thairto betwix and the said day from the pairties havand power to grant the samyn lawfullie FOR THE QUHILKS causis the saids provest baillies and counsell for thameselffis and thair successors representand the hail bodie and communitie of the said burgh and siclyk the saids provest baillies ministers and counsell of the said burgh as feoffis in trust foirsaid of the said hospitall obleisis thameselffis to pay to the said Erle and his foirsaidis the sowme of Ane Hundreth thowsand Merkis usual money of this realme of Scotland betwix the dait heirot and the elleving day of August instant and for payment of the rest of the sowmes of money promittit for compleitting of the said baigane Quhairas his Maiestie being adebit to the saids provest baillies ministeris and counsell as feoffis in trust foirsaid the sowme of Aucht thowsand Thrie hundreth and fyftie pundis money of England For payment quhairto his Matie hes agreit that thair sall be payit to thame the sowme of fyftene hundreth pundis money of England foirsaid at Witsonday nixtocum j<sup>m</sup>vj<sup>o</sup> threttie sevin yeiris uther fyftene hundreth pundis sterling money at Witsonday nixt thairefter j<sup>m</sup>vj<sup>o</sup> threttie aucht yeiris and the sowme of Twa thousand pundis sterling money foirsaid at the terme of Witsonday nixt thairefter j<sup>m</sup>vj<sup>o</sup> threttie nyne yeiris extending in the hail to the sowme of Fyve thowsand pundis sterling: The saids provest baillies ministers and counsell as feoffis in trust foirsaid of the said hospitall obleisis thame and thair successors Thair being procurit fra his Maiestie and Exchekker of England ane perfyte securitie of the said Fyve thowsand pundis sterling payable in maner foirsaid Be assignatioun and taillie according to the custom of England To assigne transfer and dispone the samyn in favouris of the said noble erle and his foirsaidis with warrandee [ ] thair awin deids and [to] denude thameselffis in his favouris of all richt thay [ ] thairto Lykas also the saids provest baillies counsell and communitie of the said burgh for thameselffis and thair successors and siclyk the saids provest baillies ministeris and counsell repre-



senting Heriotis hospitall foirsaid and thair successouris sall be haldin and obleist and be thir presentis binds and obleisis thame respective according to thair richtes respective foirsaidis maid to thame To warrand and releve the said Erle of Roxburgh and his foirsaidis off all taxatiounes impositiounes fewdewties and uthers dewties and burdingis quhatsumevir imposit and to be imposit upon the landis and baronie abonespecificet disponit as said is Off the crop and yeir of God j<sup>m</sup>vj<sup>o</sup> threttie sex yeiris and in tyme cumyng Under provisionn alwayis Lykas it is convinet and aggreit be thir presentis that incaice it sall happin the said securitie be taillie anent the payment of the said sowme of fyve thowsand pundis sterling be not procurit to the said hospitall betwix the dait heirop and the Secund day of Februar nixtocum That than and in that caice this present contract and all that may follow thairupoun to be void and ineffectuall And the saidis pairties to be ilk ane of thame in thair awin places sielyk as gif the samyn had nevir bene maid And for the mair securitie baith the saidis pairties ar content and consentis that thir presentis be insert and registrat in the buiks of counsall to have the strenth of ane decreit of the lords thairof interponit thairto That all letters and executions may pas heirupoun as effeiris. . . . In witness heirop Our said Soverane lord hes superscryvit this present contract with his Maties hand and the remanent persones contractors hes subseiyvit thir presentis with thair hands quhillk is writtin be Mr Alexander Carmichaell servitor to Johnne Leirmonth wrytter to his Maties signet, day yeir and place foirsaidis Befoir thir witnessis David Erle of Southesk Lord Carnegie Sir Jon. Hay of Barro Kny<sup>t</sup> clerk Register James Philp servitor to Mr Alexr. Guthrie toun clerk of Edinburgh the said Jon. Leirmont George Sibbald and the said Mr Alexr. Carmichaell his servands.

(Signed)

A. GUTHRIE.  
JA. HANNAY.  
Mr A. RAMSAY.  
Mr A. THOMSONE.  
Mr [HARIE] ROLLOK.  
DAVID MICHELL.  
Mr JAMES FAIRLIE.  
DAVID FLETCHER.  
JA. ELIOT.

ROXBURGH.  
D. AIKINHEID, provest.  
GEORGE SUITTIE, baillie.  
G. WILLIAMSONE, baillie.  
JOHN RYND, baillie.  
STE. BOYD, baillie.  
JOHNE SINCLAIR, dein of gild.  
C. HAMMILTOUN the<sup>r</sup>.  
A. TOD.  
EDWARD EDGAR.  
A. DENIESTONE.  
PATRIK BAXTER.  
JAMES RUCHEID.  
ADAM LAMBE.  
JAMES LESLIE.  
WM. DICK.  
DAVID McCAILL.  
WILLIAME CARNEGIE.  
THOMAS WEIR.  
PATRIK TROTTER.



## APPENDIX XIX.

PRECEPT UNDER THE GREAT SEAL IN FAVOUR OF THE TOWN COUNCIL OF RENTS BELONGING TO THE BISHOPRIC OF EDINBURGH FOR THE USE OF THE COLLEGE.

(*Historical Charters*, No. 95.)

(See *Introductory*, pp. xxiv, xl.)

CAROLUS Dei gratia Magne Britannie Francie et Hibernie Rex fideique defensor VICECOMITI et ballivis suis de Edinburgh recon dilectis nostris domino Archibaldo Campbell militi [ ] et eorum cuilibet conjunctim et divisim vicecomitibus vicecomitatus nostri de Edinburgh Salutem QUIA nos considerautes quod Prepositus Ballivi Consules et communitas burgi nostri de Edinburgh magna onere et sumptus a tempore in tempus subierunt in propagatione vere religionis politie literature multorumque publicorum et utilium operum infra dictum nostrum burgum Presentim nuper in erectione et edificatione edificij et domus maxime sumptuosi pro usu supreme curie nostri parlamenti Senatus et Collegii Justicie ac Scacarij aliorumque publicorum Conventuum in fundatione et edificatione diversorum bonorum templorum pro divino cultu, necnon in reparatione et amplificatione ipsorum Accademie que per quondam nostrum charissimum patrem ACCADEMIA JACOBI REGIS vocata et nominata fuit et edificiorum aliorumque ad eandem pertinentium et in sustentatione Professorum in eadem fundatorum et similiter in sustentando et subeundo diversa alia pia et publica opera infra dictum burgum nostrum Acetiam nos animo recolentes ipsorum fidele servitium nobis nostrique predecessoribus omnibus occasionibus prestitum et magna onera que ipsi frequenter exinde libentissime sustinuerunt unde et per multas alias necessarias impensas et debursationes bonum commune et publicum patrimonium dicti nostri burgi magnopere exhaustum et graviter oneratum est Et nos ex nostra benigna dispositione predicta onera in dictum nostrum burgum incumbentia quodammodo levare volentes pro sustentatione dicte Accademie Professorum et Magistrorum eiusdem proque aliis piis usibus Idque de redditibus nuper Episcopatus de Edinburgh nunc in manibus nostris vacantibus per suppressionem status Episcoporum infra hanc Ecclesiam et dictum regnum nostrum IDCIRCO nos cum avisamento et consensu predictorum nostrorum consanguineorum et consiliariorum Joannis Comitis de Lowdown domini Terrinzeane et Mauchlin supremi nostri cancellarii Archibaldo Marchionis de Argyll Comitis de Kintyre domini Campbell et Lorne Wilhelmi Comitis de Glencarne domini Kilmaweris Joannis Comitis de Lindsay domini Parbroith et fidelis nostri consiliarij domini Jacobi Carmichael de eodem militis Baronetti nostrum commissionerum officiorum nostri Thesaurarii computorum nostrorum rotulatoris Collectoris et Thesaurarii novarumstrarum augmentationum per nos cum consensu Statuum nostri Parlamenti constitutorum Acetiam cum consensu prefati domini Jacobi Carmichael nostri indictis officiis deputati et reliquorum nostrorum Commissionerum nostri scacarii DEDIMUS concessimus disposuimus fundavimus et mortificavimus prefatis Preposito Ballivis Consulibus et Communitati dicti burgi nostri de Edinburgh eorumque succes-

soribus pro adiumento et supplemento sustentationis ipsorum Accademie antedictæ OMNES et singulos census feudifirmarios feudifirmarias divorias canas et custumas omnium et singularum terrarum et Baronie de Aulddhammer alias Quhytkirk comprehendentes villam et terras de Quhytkirk et terras dominicales earundem Villam et terras de Mirrielawis et acras bruerias lie Brew aikeris de Quhytkirk Terras et baroniam de Furde villam et terras de Gillieswall, villam et terras de Stainlawes cum molendino de Lintoun villam et terras de Pilmure cum terras de Quhytinche et integris pertinentibus dicte Baronie Totas et integras feudifirmarias divorias terrarum et Baronie de Dunrod Comprehendentes terias de Drumuirsyde Mylnetoun Balmae Barseir Croftam nuncupatam Stallouncroft et Chappelcroft Meikle Kirkland et Litle Kirkland cum pertinentibus Necnon omnes et singulas decimas rectorias valuatas bollas monete devorias et assedationum devorias de terris aliisque subscriptis jacentibus infra parochiam de St Cuthbertis solubiles viz. decimas rectorias et bollas valuatas et valuandas integrarum acrarum burgalis more lie Borrowmure de Edinburgh nuper in feudifirmam locatas Item decimas rectorias vell bollas valuatas et valuandas integrarum terrarum et acrarum de Brughtoun Item decimas rectorias et valuatas bollas aut valuandas integrarum acrarum de Wrichtishoussis Item decimas rectorias et valuatas bollas aut valuandas terrarum vocatarum St Leonards vocatarum Terraris et Hermites croft Item decimas rectorias et valuatas bollas aut valuandas integrarum terrarum et acrarum de Wariestoun Item decimas rectorias et valuatas bollas aut valuandas integrarum terrarum et acrarum de Pilrig Item decimas rectorias et valuatas bollas aut valuandas integrarum terrarum et acrarum jacentium a tergo lie at the bak of Pleasance et prope idem iuxta Edinburgh ad diversos huiusmodi hereditarie pertinentium Item decimas rectorias et valuatas bollas aut valuandas integrarum terrarum de Sauchtoun Item decimas rectorias et bollas valuatas et valuandas de lie Blakfrieryard a tergo muri burgi nostri de Edinburgh ex australi latere eiusdem et ex occidentali latere de Plesance Item decimas rectorias et bollas valuatas et valuandas terrarum de St Gilliegrange Item decimas rectorias et bollas valuatas et valuandas terrarum de Bristo Item decimas rectorias et bollas valuatas et valuandas terrarum de Drummisheuche Item decimas rectorias et bollas valuatas et valuandas acrarum de Scheins et burgalis more lie Borrowmure de Edinburgh ab antiquo et recenter in feudifirmam locatarum aliquando ad quondam dominum Alexandrum Naper de Merchistoun militem pertinentium decimas rectorias et valuatas bollas et valuandas Terrarum et baronie de Over et Nether Merchingstounes decimas rectorias et bollas valuatas et valuandas terrarum de Over et Nether Braids decimas rectorias et bollas valuatas et valuandas terrarum de Plewlandis decimas rectorias et bollas valuatas et valuandas terrarum de Ravilstoun et acrarum de Flures iacentium ex orientali latere vie ducentis ab Edinburgh ad Leith decimas rectorias et bollas valuatas et valuandas terrarum de Bruntisfeild terrarum de Medowflatt et Discheflatt et terrarum de Battilhauche terrarum de Dalry et Dalrymylnes et terrarum de Barbourlandis et totas et integras decimas rectorias et bollas valuatas et valuandas terrarum

de Stratoun Et similiter decimas rectorias et bollar valuatatas et valuandas terrarum et baronie de Elphinstoun et Walstruther jacentium infra parochiam de Tranent QUEMADMODUM nos cum avisamento et consensu predicto fecimus et constituimus aictos Prepositum Ballivis Consules et Communitatem dicti nostri burgi de Edinburgh eorumque successores ad usum predictum nostros cessionarios et assignatos in uberiori assignationis et dispositionis forma in et ad assedationum devorias tot decimarum et terrarum particulariter supraspecificatarum quot in assedatione locantur de omnibus annis et terminis futuris donec coitus dictarum assedationum ET SIMILITER dedimus concessimus et mortificavimus prefatis Preposito Ballivis Consulibus et Communitati dicti burgi nostri de Edinburgh eorumque successoribus Advocaciones donationes et jura patronatuum Ecclesiarum de Halyruidhous et Leith ex boreali latere pontis eiusdem que ad dictum Episcopatum de Edinburgh perprius pertinerunt QUIQUIDEM census feudifirmarii firme feudifirmarie decime jura patronatus aliaque predicta cum diversis et variis aliis terris et decimis per nos ad dictum Episcopatum de Edinburgh nuper fundata disposita et mortificata fuerunt et nunc eadem eversa sunt in manibus nostris et ad nos spectant per suppressionem et abolitionem dicti status Episcoporum PRETEREA nos cum consensu predicto de novo concessimus fundavimus mortificavimus et disposuimus prefatis Preposito Baillivis Consulibus et Communitati dicti burgi nostri de Edinburgh eorumque successoribus omni tempore futuro ad usum predictum dictos census feudifirmarios firmas feudifirmarias decima jura patronatuum aliaque predicta unacum omni jure titulo interesse jurisclames proprietate et possessione que nos aut successores nostri habuimus habemus seu quovis modo habere vel pretendere poterimus aut poterint aliquo tempore futuro in et ad dictos census feudifirmarios, firmas feudifirmarias decimas jura patronatuum alique predicta vel in manibus nostris vacantes per suppressionem et abolitionem status Episcoporum ut dictum est aut per sursum redditionem et resignationem huiusmodi vel alicujus partis eiusdem factam in manibus nostris ad perpetuam remanentiam per quascumque personam seu personas huiusmodi pro tempore hereditarios vel quocumque alio modo eadem vacarint aut vacant in manibus nostris aut ad nos pertinent virtute quarumcumque legum aetorum Parliamenti aut aliquo alio modo quocumque Renunciando eadem In favorem dictorum Prepositi Ballivorum Consulium et Communitatis dicti burgi nostri de Edinburgh eorumque successorum simpliciter et inperpetuum cum pacto de non petendo ac cum supplemento omnium aliorum defectuum et imperfectionum que nos tanquam pro expressum et contentum in presentibus haberi volumus ET ULTERIUS nos cum consensu predicto dissolvimus omnes et singulas predictas firmas feudifirmarias census feudifirmarios devorias canas decimas jura patronatuum dictarum Ecclesiarum de Halyruidhous et Leith ex boreali latere pontis eiusdem aliaque generaliter et particulariter supraspecificata a nostra corona in quantum eadem aut aliqua pars eorundem perprius ad eandem fuisse annexata et non legitime dissoluta inveniri poterint Neenon dissolvimus eadem ab Episcopatu de Edinburgh et beneficio eiusdem qui nunc cum omnibus regni Episcopatibus suppressus et



abolitus est ut dictum est Ac tenore presentium eadem ad dictum burgum nostrum de Edinburgh annexamus cum ipso inperpetuum remansura ad usum subtus specificatum viz. ad supplementum et sustentationem Principalis Professorum et Regentium dicte Accademie de Edinburgh Que Accademia Jacobi Regis nuncupatur Et promittimus in verbo principis quod eadem in hoc presenti nostro Parlamento dissolvi causavimus et si necesse fuerit quod post dictam dissolutionem novum infeofamentum prefatis Preposito Ballivis Consulibus et Communitati dicti burgi nostri de Edinburgh eorumque successoribus desuper concedemus Et nos cum consensu predicto univimus ad et in favorem predictorum Prepositi Ballivorum consulum et communitatis dicti burgi nostri de Edinburgh predictos census feudifirmarios firmas feudifirmarias canas custumas decimas decimarum devorias decimarum bollas patronatus Ecclesiarum aliaque predicta ad dictum burgum nostrum de Edinburgh eorumque successores cum ipsis pro usu adjumento et supplemento dictorum ipsorum Accademie omni tempore affuturo remansura Et volumus quod unica sasina per ipsos apud dictam Accademiam de Edinburgh capienda est et stabit pro valida et perpetua sasina ipsis eorumque successoribus inperpetuum pro dictis integris censibus feudifirmariis feudifirme firmis feudifirmariis devoriis decimis patronatibus aliisque prescriptis omni tempore futuro Non obstante quod eadem discontigue jacent et sunt diverse nature et qualitatum Penes que nos pro nobis et successoribus nostris dispensvimus inperpetuum Prout in carta nostra desuper confecta latius continetur VOBIS precipimus et mandamus quatenus prefatis Preposito Ballivis Consulibus et Communitati antedicti burgi nostro de Edinburgh vel eorum certo actornato latori presentium Sasinam omnium et singularum predictorum firmarium feudifirmariorum censium feudifirmariorum decimarum decimarum divoriarum patronatum Ecclesiarum aliorumque generaliter et particulariter supra scriptorum pro usu dicte Accademie Secundum formam et tenorem antedicte carte nostre quam de nobis inde habent (et unionis prescripti) juste haberi faciatis Et sine dilatione Et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim vicecomitatibus vicecomitatus nostri de Edinburgh in hae parte antedictam committimus potestatem DATUM sub testimonio nostri magni sigilli Apud Palatium nostrum de Halyruidhous ultimo die mensis Septembris Anno Domini millesimo sexcentesimo quadragesimo primo Et anno regni nostri decimo septimo.

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## APPENDIX XX.

CHARTER UNDER THE GREAT SEAL TO EDINBURGH OF THE RENTS OF THE BISHOPRIC OF ORKNEY AND OTHERS FOR THE SUPPORT OF THE MINISTRY.

(*Historical Charters*, No. 96.)

(*See* Introductory, pp. xxiv, xlv.)

CAROLUS Dei gratia Magne Britannie Francie et Hibernie Rex fideique defensor OMNIBUS probis hominibus totius terre sue clericis et laicis Salutem



SCIATIS quia nos considerantes quod nomina et tituli episcopatum Prelatarum decanatum aliorumque eiusmodi qualitatis infra hoc antiquum regium nostrum Scotie per acta ecclesie et Parlamento nostri abolita et suppressa sunt et quod nos quandam partem et portionem reddituum huiusmodi pro sustentatione ministrorum aliisque piis usibus impendere sumus affecti et presertim pro sustentatione ministrorum infra burges nostros regales ubi potissimum requiritur Et nos perfecte intellegentes quod Prepositus Ballivi et consules principalis burgi nostri de Edinburgh preter et ultra magnos sumptus per ipsos factos in constitutione et edificatione magnifice domus parliamentarie cum omnibus edificiis et locis pro nostra sessione et collegis Justitie convenientibus etiam fundarunt et edificarunt diversa templa seu edes sacras infra dictum nostrum burgum quibus diversi ministri pro predicatione instructione et edificatione nostrorum subditorum infra dictum burgum nostrum qui quotidie in numero et multitudine populofo crescunt ab ipsis providendi sunt unde annua stipendia dictis ministris providere astringentur Quorumquidem sumptus et onus absque nostro benigno supplemento minime subire queunt quum hactenus cum sustentatione presentium ministrorum sunt onerati Et nos animo recolentes fidele servitium nobis et predecessoribus nostris per dictum burgum nostrum de Edinburgh prestitum ac ipsos in continuatione huiusmodi animare volentes IDEO nos cum avisamento et consensu predilectorum nostrorum consanguineorum et consiliariorum Joannis Comitiss de Lowdoun domini Terrinzeane et Mauchlin supremi huius regni nostri Cancellarij Archibaldi Marchionis de Argyll Comitiss de Kyntyre domini Campbell et Lorne Gulielmi Comitiss de Glencairne domini Kilmaweris Joannis Comitiss de Lindsay domini Parbroith et fidelis nostri consiliarii domini Jacobi Carmichaell de eodem militis Baronetti nostrorum Commissionariorum pro officiis Thesaurarii nostri computorum nostrorum rotulatoris Collectoris novarumque nostrarum augmentationum Thesaurarii per nos cum consensu Statuum nostri Parlamento constitutorum Acetiam cum consensu dicti domini Jacobi Carmichaell nostri deputati in dictis officiis et reliquorum nostrorum commissionariorum nostri Scacarii DEDIMVS concessimus disposuimus fundavimus mortificavimus et hac presenti carta nostra confirmavimus Tenoreque eiusdem cum consensu predicto damus concedimus disponimus fundamus mortificamus ac pro nobis et successoribus nostris pro perpetuo confirmamus dicto Proposito ballivis consulibus et communitati dicti burgi nostri de Edinburgh eorumque successoribus pro usu adiumento et supplemento sustentatione ministrorum dicti burgi nostri OMNES et singulos census feudifirmarios firmas feudifirmarias divorias feudifirmarias canas custumas decimas aliaque quecumque ad Episcopatum de Orknay spiritualitatem et temporalitatem eiusdem nuper pertinentes ac contentos in renovata fundatione huiusmodi facta per quondam nostrum charissimum patrem beate memorie virtute commissionis in Parlamento concessi mense Octobris anno domini millesimo sexcentesimo duodecimo et in quorum possessione Episcopi de Orknay post dictam renovatam fundationem fuerunt unacum censibus devoriis dccimis et decimarum devoriis terrarum et Ecclesiarum ad decanatum

de Edinburgh fundatis et mortificatis Et presertim cum decimis et devoriis decimarum Ecclesiarum de Langtoun Symprem Home Fogo et Kilmaweris ad dictum decanatum de Edinburgh nuper annexatis Cum potestate dictis Preposito Ballivis et consulibus dicti burgi nostri de Edinburgh eorumque successoribus cum dictis censibus feudifirmariis firmis feudifirmariis canis customis decimis aliisque devoriis dictarum terrarum et Ecclesiarum supra specificatis de croppa et anno domini millesimo sexcentesimo quadragésimo primo et annuatim omni tempore futuro intromittendi ET SIMILITER nos cum consensu predicto dedimus concessimus disposuimus tenoreque presentis carte nostre damus concedimus et disponimus prefatis Preposito Ballivis et consulibus dicti burgi nostri de Edinburgh eorumque successoribus jus patronatus Ecclesie de St Cuthbertis jacentis sub muro castris nostri de Edinburgh Cum potestate ipsis eorumque successoribus eidem presentare quandocunque vacabit ET NOS cum consensu predicto dissolvimus omnes et singulos dictos census feudifirmarios firmas feudifirmarias canas costumes decimas aliasque divorias terrarum et Ecclesiarum supraspecificatarum a dicto Episcopatu de Orkney et ab Episcopatu de Edinburgh et decanatu eiusdem Necnon ab omnibus earundem aut alicujus huiusmodi annexationibus ad coronam nostram factis ac eadem dicto burgo nostro de Edinburgh cum ipsis eorumque successoribus pro perpetuo ad usum supraspecificatum remansura unimus et annexamus ac volumus et ordinamus quod unica sasina pro omnibus premissis dictoque jure patronatus dicte Ecclesie de St. Cuthbertis apud domum consiliatoriam lie Counsall hous dicti burgi nostri de Edinburgh capienda Stabit et sufficiens erit sasina dictis Preposito Ballivis Consulibus et Communitati dicti burgi nostri de Edinburgh eorumque successoribus omni tempore futuro TENENDOS ET HABENDOS omnes et singulos dictos census feudifirmarios firmas feudifirmarias decimas decimarum divorias Ecclesias jus patronatus aliaque suprascripta dictis Preposito Ballivis Consulibus et Communitati dicti burgi nostri de Edinburgh eorumque successoribus de Nobis nostrisque successoribus ad usum prescriptum in puram elemosinam Cum libero introitu et exitu ad easdem ac cum omnibus aliis et singulis libertatibus commoditatibus proficiis asiamentis ac justis suis pertinentibus quibuscunque ad predictos census feudifirmarios firmas feudifirmarias decimas decimarum devorias Ecclesias jus patronatus aliaque antedicta cum suis pertinentibus spectantes seu juste spectare valentes quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliqua revocatione contradictione impedimento aut obstaculo quocunque REDDENDO inde preces et supplicationes Deo omnipotenti pro salute felicitate et prosperitate nostra nostrorumque successorum Ac Ministros Ecclesiarum suprascriptarum cum competentibus sustentationibus de decimis ipsarumque Ecclesiarum et parochiarum ipsis ut dictum est dispositis sustinendo Secundum leges et acta Parliamenti Proviso omnimodo sicuti tenore presentis carte nostre declaratur quod eadem presens hęc nostra carta nec aliquod infeofamentum desuper sequendum nequaquam extendentur ad hereditarium jus patronatus advocationem et donationem dicte Ecclesie de Kilmaweris et decimas magnas et minutas huiusmodi tempore futuro ad

prefatum confisum nostrum consanguineum et consiliarum Gulielmum Comitem de Glencairne pertinentes secundum tenorem ipsius infeofamenti earundem neque ad aliquas assedationes decimarum conceptas in favorem Comitis de Eglintoun que ad dictum decanatum pertinnerunt prout jure congruit IN CUIUS REI TESTIMONIUM huic presenti carte nostre magnum sigillum apponi precepimus TESTIBUS predilectis nostris consarguineis et consiliariis dicto Joanne Comite de Lowdoun domino Terrinzeane et Mauchlin nostro cancellario Jacobo Marchione de Hamiltoun, Comite Arrannie et Cantabrigie domino Aven et Innerdaill Willielmo Mariscalli Comite domino Keith et Altrie Regni nostri Mariscallo Roberto Comite de Roxburgh domino Ker de Cessfurde et Caverton nostri secreti sigilli custode Willielmo Comite de Lanerk domino Mauchaneschyre et Polmont nostro Secretario dilectis nostris familiaribus consiliariis dominis Alexandro Gibsoun juniore de Durie nostrorum rotulorum registri ac consilii Clerico Joanne Hamiltoun de Orbiestoun nostre justitiarie Clerico et Joannis Scott de Scottistarvett nostre Cancellarie direttore Militibus Apud Halyruidhous decimo die mensis Novembris Anno Domini millesimo sextentesimo quadragesimo primo Et anno regni nostri decimo septimo.

# INDEX.

- ABERCORN, minister at, 210.
- ABERDEEN, xxx; summoned to convention, 113, 116; information to, 123; representative at coronation, 127; act of convention at, 193; General Assembly at, 242; merchants and captured ships, 252.
- , Bishop of, excommunicated by Assembly, App. xv, 323.
- ACCOUNTS, *see* Treasurer, Bailies, Kirk rents, Currie.
- ACHESON, Sir ARCHIBALD, of Glencairnie, Bart., Secretary of State, burgess and gildbrother, 51; servant made burgess, 139.
- , GILBERT, *bailie*, 14, 81; *council*, 37, 97, 114; to keep contributions for Parliament House, 128.
- , JAMES, appointed drillmaster, 41; dismissed, 58; reappointed, 63; patent to, to be prevented, 100; pension cancelled, 131.
- , Mr JOHN, Drumsheugh's feu disposed to, 107.
- , ROBERT, *bailie*, 97, 209; *council*, 114, 132, 223; committee, liberties of France, 147; valuer of rents, 161; committee, military discipline, 211.
- ACTORS at King's entry, costumes, 157.
- ADAIR, WILLIAM, shoemaker, *council*, 49; *deacon*, 59; deceased, 65.
- ADAMSON, Mr JAMES, nephew of principal of College, doctor in High School, 116; left, 141.
- , Mr JOHN, principal of College, xxxviii; produces legacy of books, 15; catechism by, 29; to visit Stirling library, 54; inspector, High School, 106; house of, to be bought, 148, 163; produces library catalogue, 158, 175; stipend, 176; to fill vacancies in College, 209; commissioner, Assembly, 210, 242; committee, High School, 227.
- , WILLIAM, expenses in Heriot's affairs, 24.
- ADMIRAL, Lord High, xvi, xxv-vii; intrusion at Leith, 55, App. vii, 294-9; Town's signature no prejudice to, 185.
- , of England, Lord, and captured ships, 252.
- ADMIRALTY, xxv, xxx; Duke of Lennox's patent, 45; committee anent, 52; meeting with commissioners of, 63; Earl of Linlithgow's signature of, App. i, 268.
- ADMISTON, ADMISTOUN, *see* EDMISTON.
- ADVOCATES, xlv; commissioners for regent, 71; burials of, 164; and ministers' stipends, 188, 191; assessor at Assembly, 210; and defence of town, 214.
- , Lord, advice at court, App. i, 226.
- AGENT, Town's, receipt from, 81. *See also* Burghs' Agent.
- AIKINHEID, ALEXANDER, writer, delivers sword and mace, 191; loan by, 198.
- , DAVID, of Kilkubhis, xvi, xvii, xxvii; *provost*, 14, 35, 49, 59, 150, 167, 182; *council*, 81; servant burgess, 56, 166; commissioner, convention, 88, 90; on King's leet for provost, 149; produced King's letter, 154, 163; burial place granted to, 185; burial of, 191; legacy by, 192; supposed irregular election, App. i, 267, 270; produced King's letter, App. viii, 299. *See also* Provosts, Lord.
- , Mr HENRY (HARRY), minister at North Berwick, delivers sword and mace, 191; loan by, 199.
- , JAMES, burgess gratis, 56.
- , Mr JAMES, advocate, and commission of teinds, 179.
- , MARION, daughters of, 167.
- , THOMAS, father of David and Marion, burgess rights of, 167.
- , Mr THOMAS, a commissary of Edinburgh, loan by, 76, 95.
- AIKMAN, HENRY, surgeon, *deacon*, 1; to attend poor, 94; deceased, 158.
- AINSLIE, ANDREW, *bailie*, 1, 59, 182; *council*, 14, 35, 81; *baron and water bailie*, 243; ship of, wrecked, 14; in charge of Leith affairs, 59; commissioner, Burghs and Estates, 95; committee, trade with England, 253.
- AITKEN (AITKYNE) PATRICK, shoemaker, *deacon*, 132, 150, 196, 209.
- AITTOUN, *see* AYTON.
- ALE, price set, 15, 36, 51, 60, 85, 99, 114, 131, 152, 184, 197, 210, 224, 252; Leith not to brew or sell without permission, 42; customs of, in Dalkeith, 96.
- ALEXANDER, Sir ANTHONY, burgess and gild brother, 193.
- , HARRY, son of Earl of Stirling, burgess and gildbrother, 193.
- , MALCOLM, burgess, 193.
- , Sir WILLIAM, Secretary, later Lord Alexander and Earl of Stirling, debt to Heriot, 27; burgess and gildbrother, 193; letters sent to, App. i, 256, 260; present at audience, *Ib.*, 267, 270; and Seaforth's signature, *Ib.*, 267, 268.
- ALGOE, PETER, Town's agent, receipt for money, 81.
- ALHALLOWMES, *see* HALLOWE'EN.
- ALISON (ALESOUN) JAMES, *council*, 150.
- ALLAN, THOMAS, skinner, to move from shop, 119.



ANDERSON, JOHN, skinner, to move from shop, 119.  
 —, ROBERT, flesher, *deacon*, 97, 114, 223, 244.  
 ANDREW (ANDRO) JOHN, merchant in Angermunde, testimonial to, 149.  
 —, THOMAS, merchant, father of above, 149.  
 ANGERMUNDE in "Spruce," merchant in 149.  
 ANGUS, PATRICK, skipper of Bruntisland, and suspected plague, 176.  
 ANNAN, Lady, debt to Heriot, 27.  
 —, Lord, debt to Heriot, 27.  
 ANNANDALE, Earl of, debt to Heriot, App. i, 259.  
 ANNUITY, the, xii, xvi, xlii-iv; payment of, App. i, 263. *See also* Ministers and Teinds.  
 ANSTRUTHER, EASTER and WESTER, summoned to convention, 113, 115; information to, 123.  
 ANWOTH, minister at, 214.  
 APPRENTICES, 1; poor, in Paul's work, 12; to be admitted, 41; ensign-bearer excused year as, 54; extra, to printer, 72; booking of, excused, 136; to master of Correction House, 173; foreigner in Leith to take, 222.  
 ARBROATH, summoned to convention, 113; commissioners leave Assembly, App. xv, 322.  
 ARGYLE, ARCHIBALD, Earl of, later Marquis, xx, xxi, xxii, xxiv; King's letter as to, 237.  
 —, Earls of, xxvi.  
 —, Bishop of, xvij, xli; Mr James Fairlie, 191, 199.  
 ARMING of the Realm, xviii, xix, xxii, xxx; to be discussed, 8, 17, convention anent, 22; committee anent, 36.  
 ARMOUR, neighbours to supply, 37; report on, 204; Town's, to be cleaned, 205; to be moved to new armoury, 206; payment for cleaning, 210; to be provided, 215, 216, 235, 237, 238.  
 ARMOURER, *see* HAMMERMEN.  
 ARMOURY, xviii; public, 37, 204, 205, 206; new place for, 206; muskets from, for drill, 215, 216; arms from, for companies, 215; muskets from, lent, 216; new cannon to be put in, 220; muskets in, to be repaired, 220.  
 ARMOUR (AIRMOUR) Mr JOHN, regent of humanity, 71; resigns, 135, 136.  
 —, JOHN, collector of debts, 72.  
 ARMSTRONG, THOMAS, caution for factor, 202.  
 ARMY, ix, x, xviii, xix, xxi, xxii, xxiii; for France, recruits, 35; against invasion, 237; tax for, 238; refractory neighbours to be compelled to pay, 238; a part of, left in Town, 242; in the field, 244.  
 ARNOT, Dr, gift used for catechists, 238, 242.  
 —, JAMES, to build a dry dock, 199.  
 ARTICLES, Lords of the, xx.  
 ASLOWAN (SLOWAN) JOHN, ballast master, 181, 186; renounces tack, 198, 200.  
 ASSEMBLY, *see* GENERAL ASSEMBLY.  
 ASSESSORS, names of, 1; to convention, 1; new, 17; for Heriot's Hospital, 35; for Trinity Hospital, 39; two extra, 103; to judge unfree traders, 112; and protest as to election, 150.  
 ASSIZES, charge to inhabitants to pass on, 60.  
 AUCHINDONYE, bridge of, repair, 51.  
 AUCHINLECK, Sir GEORGE, of Balmanno, owner of Littlefield, 75.  
 AUDITORS, for Heriot's legacy, 7; for bailies'

accounts, 12; for Heriot's Hospital accounts, 26, 35; for Town accounts, 88; and borrowed money, 226.  
 AYR, general convention at, 23; summoned to convention, 113, 116; information to, 123.  
 AYTON (AITTOUN) WILLIAM, paid for dial on College, 210.  
 BABERTON, tack of teinds, 39.  
 BAGSHOTT, letter dated at, 34.  
 BAILIES, xxviii, xxix, xxxvii; *Udward, Eleis, Reid, Ainslie*, 1; *Richardsoun, Achesoun, Blackburn, Brown*, 14; *Speir, Suittie, Charteris, Williamsoun*, 35; *Sinclair, Tod, Farquhar, Heriot*, 49; *Cochrane, Reid, Ainslie, Edgar*, 59; *Udward, Simpsonsoun, Achesoun, Reid*, 81; *Dick, Charteris, Achesoun, Smith*, 97; *Sinclair, Gray, Murray, Baillie*, 114; *Reid, Farquhar, M'Cull, Fleming*, 132; *Speir, Tod, Edgar, Danielsoun*, 150; *Suittie, Williamsoun, Rynd, Boyd*, 167; *Cochrane, Ainslie, Smith, Hamilton*, 182; *Gray, Fleming, Wulkie, Trotter*, 196; *Charteris, Edgar, Achesoun, Kniblo*, 209; *Suittie, Boyd, Rocheid, Binnie*, 223; *Reid, Smith, Murray, Baxter*, 244; *Gray, Trotter, Fleming, Pearson*, 251.  
 King's letter, 3; to collect tax, 4; and additions to college, 5; and Heriot's legacy, 5; agree to purchase land, 6; banquet to Marquis of Hamilton, 6; banquet to Maxwell, 9; instructions for Hay, 10; rules, Correction House, 10; to present new surgeon for poor, 22; to wear scarlet gowns, 26; committee, Heriot's Hospital, 27; and choice of site for Hospital, 28; to give gratuity to Dr. Balcanquell, 30; to hand over recruits for France, 35; to collect tax, 39; to procure scarlet gowns, 40; to sign submission anent teinds, 45; to have gowns before King's visit, 46; committee, King's visit, 46; to carry pall, 48; and gowns, 49; and lawborrows, 49; to admit burgesses, 51; to present new surgeon for poor, 55; and professor of divinity, 57; to present spiee and wine to burgess, 58; summoned by Constable, 58; to answer letters as to Seaforth, 73; to inspect house, 74; committee, Estates' affairs, 75; to borrow for tax, 82, 92; committee, farthings, 95; committee, King's visit, 100; extra assessors for, 103; committee, convention and Broughton, 114; and E. of Linlithgow's signature, 115; committee, parliament and convention, 121; to arrange street cleaning, 121; to set tax for stipends, 126; to borrow for King's propine, 128; to borrow for tax, 135; to pay French master, 140; King's lect for, 149; to repay loan for tax, 151; to sign letter, 153; to pay Robert Nairne, 153; to allot burghs' tax, 154; collect for new churches, 166; to choose envoy to court, 170; committee, Leith, 176; and new minister, 183; committee, King's reform, 185; and increase of poor, 187; and care of Town writs, 187; and College of Justice, 188; to collect for Parliament House, 189; order borrowing, 189; to attend provost's

- funeral, 191; admit burgesses, 193; banquet for D. of Lennox, 193; to petition King as to Service Book, 195; and removing of Council and Session, 197; committee, General Assembly, 211; letter from nobility to, 216; engage colonel, 220; sign letter to King, 232; duties under legacy, 233, 234; and King's letter as to E. of Argyle, 237; answer to Lord Ettrick, 238; to collect tax, Leith and Canongate, 240; security by, for loan, 243; to pay French master, 245; messenger to commissioners with King, 246; committee, King's visit, 247; and unfree surgeons, 250; to sign submission, App. i, 266; not to try murder case, App. iv, 280.
- , accounts of, 12, 24, 37, 79, 91, 118, 127, 152, 181, 192, 213, 239. *See also* Town Council.
- , Old, red gowns for, 46, 49; to collect for Parliament House, 148; to attend provost's funeral, 191.
- , Depute, to judge unfree traders, 112.
- BAILLIE, GEORGE, *council*, 81, 132; *bailie*, 114; *water and baron bailie*, 167; valuer of house rents, 162.
- , Sir JAMES, of Lochend, Kt., receiver of tax for King's ships, 3, 4; commended to Council by King, 23; debt to Heriot, 27, 29, 30; loan to, 30.
- , Dr. JAMES, of Brodthirst, burgess and gild-brother, 58.
- , ROBERT, *council*, 97.
- BAKERS (BAXTERS) *deacon*, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251.
- BALCANQUELL, Mr ROBERT, minister at Tranent, witness to regent's resignation, 30; and father's legacy, 53, 62.
- , Mr WALTER, late Town minister, legacy by, 62.
- , Dr. WALTER, Dean of Rochester, letter by, Heriot's affairs, t9; and plans for Hospital, 27, 28; gratuity to, 30; witness to regent's resignation, 30; statutes of Heriot's Hospital by, 30; App. i, 256, 259, 261, 262, 264.
- BALD, PATRICK, goods in ship of, 58.
- BALEIN (WHALEBONE), Englishman fined for not entering, 133.
- BALERNO (BYRNO), NETHER, teinds of, 41.
- BALFOUR, ALEXANDER, broker in Leith, 189.
- BALLASTMASTER, appointment of, 181; regulations, 187; tack of office renounced, 198, 200.
- BALMANNO, PETER, tenant of Littlefield, 75.
- BALMERINO, Lord, agreement, teinds, 120.
- BALSILLE (BASSILLIE), Mr DAVID, minister at Corstorphine, stipend, 180.
- BALTY, ROBERT, at Campvere, letter as to minister, App. ii, 271.
- BAMBOROUGH (BAMBREICH) CASTLE, ship lost near, 162.
- BANFF, summoned to convention, 113.
- BANNATYNE, HENRY, maltman, bailie of Canon-gate, 219, 243.
- , JAMES, caution in lawboirrows, 49.
- , JAMES, burgess, 174.
- , JANET, legacy to Hospital, 144.
- BANNATYNE, JOHN, writer, land bought for church, 175.
- , THOMAS, legacy to Trinity Hospital, 169; legacy for new church, 170; prentice of, made burgess, 174.
- , *see also* BELLENDEN.
- BANQUETS, xiii, xxiii, xxiv; for James Maxwell, 9; for King, 47; for Earl of Monteith and others, 51; provision for King's, 53; to Earl Marischal and others, 105; for King and nobility, 117, 129; to Marquis of Hamilton, 139; to new Bishop, 140; to Mr James Hanna, 157; to Duke of Lennox, 193; to King, 248, 249.
- BARCLAY, Captain Major, not to trade, 182.
- , Mr ROBERT, to take letter to King, 232.
- BARLEY (beir) new market for, 20; export to Spain, 104.
- BARN, ALEXANDER CUNNINGHAM, Laird of, xxvii; patent for beacon on Isle of May, 88, 170.
- , JAMES, convicted of buying for export, 62.
- BARONS, claim to be third estate, 241.
- BARTAN, JOHN, goldsmith, testimonial to son of, 228.
- , ROBERT, mutilated in fire, 228.
- BATYE, MARGARET, testimonial to son, 149.
- BAXTER, ALEXANDER, wright, *deacon*, 1, 132.
- , JOHN, officer, dismissed, 5.
- , PATRICK, *council*, 167, 251; *bailie*, 244; *bailie of Leith*, 196; kirk treasurer, 117; valuer of house rents, 161; and drill, 215; committee, trade with England, 253.
- BEAULIEU (BEWLY), King's letter dated at, 113.
- BEEF, buying for export, 62.
- BEER, price set, 15, 36, 51, 60, 114, 134, 152, 184, 197, 210, 224, 244, 252.
- BEGGARS, xlix, 1; proclamation anent, 88; Correction House for, 107, 111, 172.
- BELLENDEN, Sir WILLIAM, debt to Heriot, 16, 31; Earl of Roxburgh and, App. i, 269.
- BELLISDAILL, bridge of, repair, 51.
- BELLMEN, complaints against, 50; appointment, 117.
- BELLS, rung for bonfires, 77; for Sunday preaching, 166.
- BELSHES (BELSCHEIS), JOHN, of Tofts, assessor, 1, 17; burgess and gildbrother, 51.
- BENNET, Mr WILLIAM, minister at Monymaill, called to Town, xlii, 212, 242, 245; presented to presbytery, 252; parish of, 253.
- , Mr JOHN, late minister of Kirkurde, 212.
- BERWICK-ON-TWEED, xix; bridge of, 115; King's camp at, 220, 221.
- , Pacification of, xix, xx.
- BIBLE, the, intended printing of, 72.
- BICKED, JOHN, bonnetmaker, *deacon*, 59, 167, 182.
- BILBAO (BILBO), ship bound for, 105.
- BINNIE, JOHN, *council*, 150, 244, 251; *bailie*, 223; *bailie of Leith*, 269; treasurer, St. Giles, 191; to distribute legacy to prisoners, 239; commissioner, synod, 246; to present new minister, 252; committee, trade with England, 253.
- BINNING (BYNNINO), THOMAS, Lord, burgess and gildbrother, 6; servant and burgess, 6.
- BISCAY, 105.

- BISHOPS, xx, excommunicated by Assembly, App. xv, 323. *See* Edinburgh, Argyle, Brechin.
- , War, xxii, xxxvii.
- BISHOP, Mr DAVID, doctor in High School, 71, 232.
- , NINIAN, mason, recruit for France, 35.
- BLACK TURNPIKE, a boundary of parishes, 253.
- BLACKADDER (BLAIKEDER), Sir JOHN, of Tillie-  
alane, Bart., burgess and gildbrother, 106.
- BLACKBURN (BLAIKBURNE), PETER, *bailie*, 14;  
*council*, 49, 61, 251; *dean of gild*, 244;  
committee, King's visit, 46; committee,  
convention, 116; committee, decay of  
trade, 116; committee, liberties of France,  
147; loan for Parliament House, 183;  
special committee, troubles, 236; com-  
missioner, convention, 246; committee,  
trade with England, 253.
- BLACKLOCK, WILLIAM, sergeant, 127.
- BLAIKIE, JAMES, postmaster, 151.
- BLAIR, Colonel LUDOVIC, xix, xxxvii, n.; to  
command companies, 221; half-pay, 221,  
222.
- BOLL, peck to the, 21.
- BONAR, Mr JAMES, minister at Monybole, burgess  
and gildbrother, 252.
- , JOHN, owner of Heuchfield, 75.
- , THOMAS, burgess gratis, 142.
- BONDS, by Town, for purchase of Broughton, 13,  
16; for Heriot's legacies, 20; to Trinity  
Hospital, 56, 73, 102; for loans to treasurer,  
76; for purchase of land, 92, 94; expenses  
of King's visit, 121, 129; for repayment  
of treasurer, 132, 166, 195; for repayment  
of kirk treasurer, 153; to treasurer of  
Parliament House, 165; to Bishop of  
Dunblane, 178; for loans for Parliament  
House, 197; to William Dick, national  
affairs, 214, for legacies, 233, 237.
- , by others to Town, debts to Heriot, 16, 27,  
29, 31; Heriot's executors, 19; Sir James  
Baillie for loan, 29; Nicoll Udward's, 40;  
Mr Robert Balcanquell's, 58; assigned to  
Hospital, 105; taken for redelivery of  
arms, 216; by commissioners of kingdom,  
223; for relief of poor, 228; for tax for  
army, 238.
- BONFIRES at birth of prince, 77, 133.
- BONNETMAKERS, *deacon*, 1, 14, 35, 49, 59, 81, 97,  
114, 132, 150, 167, 182, 196, 209, 223, 244,  
251; special fee for burgess, 31.
- BONNINGTON MILLS, *see* MILLS.
- BOOKS, of King's reception, 167; legacy of  
mathematical, 170; legacy to buy, 190, 202;  
*Munro's Expedition*, 190; bought in  
London, 246.
- BOOM, across harbour, xxxvii, xxxviii, 216.
- BOOTHs, closed, 3, 77. *See also* SHOPS.
- BOREBRIEF (or testimonial), to Claude Mureheid,  
14; to David Herring, 141; to John  
Andrew, 149.
- BOROUGH LOCH, land near, bought, 5; roup of  
grass of, 100, 152; teinds of moor near,  
117, 156.
- BOROUGHMUIR, roup of grass, 99; rights reserved  
to Town, 99; arrears of teinds, 117, 156.
- BOUTCHER, JOHN, fletcher, *deacon*, 196, 209.
- BOTHWELL, FRANCIS, Earl of, and Admiralty,  
xxvi, App. vii. 297.
- BOWIE, FRANCIS, skinner, to move from shop, 119.
- , Mr JOHN, doctor in High School, 139, 201.
- BOWMAN, WILLIAM, burgess, 139.
- BOWSENE, *see* BUSEIN.
- BOWYERS (BOWARS), petition on behalf of, 123.
- BOYD, ROBERT, Lord, burgess and gildbrother, 6.
- , STEPHEN, *council*, 35, 182, 244; *bailie*, 167,  
223; warden of Paul's Work, 66; and  
money for College, 171; committee,  
abuses in College, 183; committee, govern-  
ment of merchants, 185; to repay treasurer  
loan for stipends, 206; committee, High  
School, 227; special committee, troubles,  
236; and house for general, 246.
- BOYES, ANDREW, goldsmith, to move from shop,  
155.
- BRAIDFOOT (BRAIDFUTE), HENRY, paid for ringing  
on Sunday, 166.
- BREAD, price set, 15, 36, 51, 60, 85, 99, 114, 134,  
152; not to be baked in high houses, 177;  
price and weight of three qualities of, 184,  
197, 210, 224, 244, 252.
- BRECHIN, Bishop of, ANDREW, lands in Leith for  
poor, 91; appointed bishop of Edinburgh,  
142.
- , —, THOMAS SYDSERFF, xli, 146, 157,  
App. xiii, 319; excommunicated, App. xv,  
323.
- , —, Dr. WALTER WHYTFURD, son burgess  
and gildbrother, 188.
- BREWHOUSES, tack of, 114. *See also* SOCIETY.
- BRIDEWELL, 1.
- BRIDGES, repair of, 51.
- BRITAIN, Great, fishing round, xxxiii.
- BROKERS, statute, 188.
- BROUGHTON, lands of, xv, xlvii; purchase of part  
for Heriot's Hospital, 5, 6, 12, 13, 16, 32;  
committee as to, 114; bargain of, 178, 180,  
181, App. viii, 300, 302, 305; contract,  
App. xviii, 328-34.
- BROWN, ALEXANDER, *council*, 114; Kirk treasurer,  
52; and ransom of prisoner, 213.
- , —, maltman in Leith, tack of Bonnington  
mills, 153.
- , DAVID, saddler, and unlawful destruction  
of house, 43.
- , —, servant of Justice Clerk, burgess and  
gildbrother, 205.
- , JACOB, skipper of *Mercurius* of Middle-  
burgh, fined, 62.
- , JAMES, shoemaker, *council*, 67; *deacon*, 81,  
167, 182; valuer of house rents, 161.
- , JAMES, in Whelpside, tack of teinds, 40.
- , Mr JOHN, regent of philosophy, 15, dis-  
missed, 207, 208.
- , JOHN, master of the *Charity*, of Leith,  
captured by Dunkirkers, 107.
- , —, mariner in Leith, prisoner of Turks,  
213.
- , ROBERT, legacy to Hospital, 141.
- , THOMAS, elder, to pay all extents, 41;  
prentice admitted, 41.
- , THOMAS, hammerman, *deacon*, 35, 49.
- , WILLIAM, and Town company, 2; *bailie*, 14;  
*council*, 35; committee, military affairs, 36.
- BRUCE, ROBERT, *bailie*, App. iv, 275.
- BRUNTON, JOHN, deacon of candlemakers, App. v,  
281, 282.
- BRYLAND, valuation of teinds, 119.



BUCCELLIS, CLAUDE, Frenchman, music school, xlix, 20.

BUCHAN, ROBERT, patent of pearl fishing, xxx, xxxi, 105, 113.

BUCHANAN, DUNCAN, recruit for France, 35.

—, —, servant, of General Leslie, burgess and gildbrother, 238.

BUCKASIES, AMSBRIDGE, export, to Spain, 146.

BUCKINGHAM, GEORGE VILLIERS, Duke of, debt to Heriot, 27, App. i, 258, 259.

BUCKRAM (buckrummes), dyeing of, 74; export to Spain, 146.

BULLION, export of, xv. *See also* MONEY.

BURDOUN, JOHN, journey to London, 53, 121.

BURGESS, Ker deprived, 2; Urquhart, 6; Reid, 9; apprentices, Paul's Work, 12; contribution by new, to Paul's Work, 18, 52; ticket confiscated, 22; Flowers, 31; recruits for France, 34, 53; to supply arms, 38; tickets given up, 43; Home, 54; provost's servant, 56, 166; Grahame, Richardson, 73; messenger, prince's birth, 77; Ramsay, 87; musician, 95; Young, printer, 109; at request of Lord Lorne, 110, 174; painter, 120; tickets, 128; oath of, 129; at banquet, 139; Raith, 141; Bonar, 142; servant of Earl of Lauderdale, 148; servant of Earl of Wintoun, 149; servant of Earl of Seaforth, 165; Neill, messenger, 165; servant of Lord Chancellor, 174; prentice, 174; Maiden, 174; servant of Bishop of Glasgow, 174; servant of Sir Thomas Thomson, 182; master mason, 184; servant of Lord Alexander and others, 193; servant of Marquis of Hamilton, 205; servant of General Leslie, 244; at King's banquet, 249.

—, and Gildbrother, xviii; Marquis of Hamilton, 6; Earl of Cassillis, Lord Boyd, Lord Binning and others, 6; Sir James Douglas and others, 9; Drummond of Hawthornden, 16; rights of, to daughters of Jean Rollock, 27; Sir Michael Preston, 36; to supply arms, 38; Belshes of Tofts, 51; Earl of Monteith and others, 51; Logan of Coatfield and another, 56; Dr. James Baillie, 58; Mr Patrick Henderson, 59; David Ramsay and others, 63; Johnston, writer, 71; Sir Richard Grahame and others, 73; Mr Henry Drummond, 90; Earl Marischal and others, 105; gratis, 110; at King's visit, 128; Jameson, painter, 130; Mr James Drummond, 141; Col. Matheson, 163; King's surgeon, 165; rights of, to daughters of Patrick Sands, 167; Young, 170; Scrymgeour, 174; minister at Colmonell, 178; Sir Jerome Lindsay and Mr William Wishart, 179; son of Bishop of Brechin, 188; Lord Alexander and others, 193; servants of Marquis of Hamilton and others, 205; Col. Lindsay, 219; burgess made gildbrother, 223; inhabitant of Canongate, 223; General Leslie and servants, 238; Mr Alex. Guthrie's servant, 238; fugitives from town to lose, 241; servants of General Leslie, 242; at King's banquet, 249, 253; Bonar, minister, 252; Keeper of the Signet, 252.

BURGHs of barony, charter against, 105; convention ancient, 113; Earl of Seaforth's, App. i, 263, 264.

—, royal, xxix-xxxiv; agent's pension, 7; grievances, 8; letter, affairs, 20; to assist Sir James Baillie, 23; teinds of, 23; envoy to court, 25; and submission of teinds, 45; expenses, 46; commission Edinburgh, affair of Stornoway, 47; opposition to justice courts, 48; letter as to Seaforth, 48; letter, minister's stipend, 50; committee, Seaforth, admiralty, gunpowder, 52; payments to, 57; commissioner to King, 57; prejudice to, Stornoway, 66; and conservator, 72; to pay envoy, 79; to pay Edinburgh, 80; petition against Constable, 97; and burghs of barony, 105; and postmasterships, 120; and fishing, 123; contributions to Selkirk, 126; at coronation, 127; act, monopolies, 129; repay money, 130; expenses, commissioners, 145; tax divided among, 154; committee, extent roll, 168; protest against Service Book, 197, 201; payment to commissioners, 203; bonds for money borrowed for war, 214; envoy to King, 230; estate in Parliament, 241; letters to, anent captured ships, 243; charters sent to King, 246; commissioners to Parliament, 246; App. i, 264, 266, 267, 268, 269, 270, App. ii, 271, App. iii, 272, 273.

—, General Conventions, Dunbar, 1, 7; Ayr, 23, 27; Perth, 44, 47; Culros, 54, 56; offers, Stornoway and fishing, 77; Jedburgh, 77, 80; Dysart, 92, 93, 94; instructions, minister at Campvere, 102; Montrose, 107, 129, 146; St. Andrews, 122, 132, 146; Edinburgh, 126, 143, 162, 243, 245, 246, 247; Glasgow, 175; Aberdeen, 188, 193; Stirling, 193, 204, 206; Dunfermline, 220, 221; Irvine, 242; Linlithgow, 248.

—, Particular Conventions, arming, etc., 8, 9; ships of war, 13; Campvere and arming, 17, 18; arming, 22; penal statutes, etc., 23; meeting, 36, 44; Parliament, 46, 48; Stornoway and fishing, 51, 52, 54, 58, 63, 64, 78, 81, 82; money, etc., 82, 88; fishing, 90, 95; copper coin, 98, 99; minister at Campvere, 102; fishing, etc., 105, 106; burghs of barony and coin, 113, 114; Earl of Linlithgow's signature, etc., 115; coinage, 116, 117; Parliament, 121; act, Selkirk, 126; meeting appointed, 132, 135, 137; muster master, etc., 140, 141; meeting appointed, 150, 151; Sir James Lockhart's signature, 158; meeting appointed, 167; export of salt, 169, 170, 171; light on Isle of May, 88, 170, 179; envoy to King, 174; book of Rates, 181, 182; factors of Campvere, 193, 198, 202; meeting appointed, 214, 221, 222, 230, 243, 245.

—, —, agent of, 7, 46, 80, App. i, 264.

—, —, agent at court, viii, xxx, 7, 8.

—, —, clerk, 7, 46.

BURIALS, in coffins forbidden, 155; students to attend special, 164; addition to churchyard, 175.

BURLEMAKIE, PHILIP, banker in London, and Heriot's affairs, 27, App. i, 262.



- BURNE, DAVID, candlemaker, appeal against, App. v, 281, 282.
- , MARION, wife of John Armour, procuratrix for, 72.
- BURNETT, ANDREW, merchant of Aberdeen, and captured ship, 252.
- , JOHN, factor in Campvere, 100.
- , Mr ROBERT, advocate, extra assessor, 103; to judge unfree traders, 112.
- BURNTISLAND, convention, accounts, 102; summoned to convention, 113, 115, 116, 179; information to, 123; skipper of, fined, 176.
- BURSARS, *see* COLLEGE.
- BUSCHES, preparation of, in England for fishing, 123.
- BUSEIN (or BOWSENE), CHARLES, Esquire, burgess and gildbrother, 9.
- BUTLER, Mr GEORGE, letter to, by Sir Robert Ker, App. i, 268.
- BUTTER, statute, forestallers of, 91.
- BYRES (BYIRES), JOHN, *dean of gild*, 1; *council*, 14, 35, 49; commissioner, purchase of land, 6; committee, Heriot's Hospital, 26; accounts, 33; committee, military affairs, 36; committee, King's visit, 46; commissioner, valuation of teinds, 56; protest, election of professor, 57; legacies, 102; tomb of, 182.
- BYRNO, *see* BALERNO.
- CABARRIS, *see* GABBERTS.
- CADIZ, ships for, 168, 169.
- CAIRNIE (CAIRNYE), ROBERT, owner of part of Dumbarny, 75.
- CAITHNESS, Wick in, 55; famine in, 145, 147.
- , Bishop of, Assembly's decision anent, App. xv, 323.
- CALDER, JOHN, master of *George* of Leith, lost with ship and crew, 162.
- CALDERCLEIR, barony of, 95.
- CALDERWOOD (CADERWOOD), Laird of, servant, 77; brother apprenticed, 136.
- CALEIS in Spain, exports to, 146.
- CAMBUSLANG, minister at, xl, 4.
- CAMERON, JOHN, to hold fencing school, 80.
- CAMPBELL, ARCHIBALD, burgess and gildbrother 51
- , JAMES, caution for factor, 202.
- , NEIL, deacon Leith Kirk session, 69.
- , JOHN, burgess, 110.
- , Mr THOMAS, preacher, 153.
- CAMPSIE, minister at, xl, 4.
- CAMPVERE, xxx; minister, 7, 50, 63, 65, 73, 98, 102; contract with burghs, 72; ship captured near, 125; and plague, 176; factors, 193, 202; merchandise, 202; Kirk session and legacy, 206, 239; App. ii, 271; App. iii, 272.
- CANDISH, Lady, debt to Heriot, 27.
- CANDLES, price set, 14, 35, 49, 60, 82, 98, 114, 133, 151; complaint about, App. v, 281.
- CANDLEMAKERS, submission to council, 43, App. v, 281, 282.
- CANNON, xix; purchase of, 44; to be made, 220; on *Lyon* of Leith, 249.
- CANONGATE, xv, xxi, li; Frenchman in, 133; to belong to Town, 180; extra bailie, 219; inhabitant burgess and gildbrother, 223, fire in, 228, 234; head court, 235; tax for regiment, 238; tax assigned to Town, 240; *bailies*, 243; Town parish in, 253; App. xviii, 329, 330.
- CANONS, Book of, xviii; commission for answers anent, 203.
- CANT, WALTER, *council*, 182.
- CANTERBURY, Archbishop of, letter to, anent church, 141, App. i, 255.
- CARMICHAEL, THOMAS, forbidden to keep mastiff, 100.
- , WILLIAM, burgess and gildbrother, 193.
- CARNEGIE, Sir JOHN, leaves Assembly, xv, 322.
- , WILLIAM, skinner, *deacon*, 81, 97, 150, 167; *council*, 132; commissioner, convention, 88, 90, 93, 99, 100, 102, 106, 143, 167, 169, 170, 175, 179, 181; committee, farthings, 95; committee, King's visit, 100; commissioner, new bishop, 142; commissioner, stipends, 155.
- CART, for cleaning streets, 121.
- CARY, Mr THOMAS, debt to Heriot, 27.
- CASSILIS, JOHN, Earl of, burgess and gildbrother, 6.
- CASTLE of Edinburgh, i, xix, xx, xxi, xxii, xxiii, xxvii; right to banks renounced, 64; reinforcements for, 231; King's letter as to, 235, 236; letter from Governor, 238; blockade of, 242.
- hill, site for church, xlviii, 181; legacy for church borrowed, 237; boundary of parishes, 253.
- CATECHISM, for use of students, 29.
- CATECHISTS, money for, 238, 242.
- CATHCART, ALLAN, burgess, 139.
- CATHEDRAL Church of Edinburgh, *see* St. GILES.
- CAUPMAHOLME, *see* COPENHAGEN.
- CEERERAW, Mr, husband of Franchisceta Heriot, App. i, 261, 263, 265, 269.
- CHALMERS, GEORGE, burgess and gildbrother, 223.
- , Mr WILLIAM, surety for Sir James Bailie, 29.
- CHAMBERLAIN, the Lord, xvi; and Town signature, 185; ayres, App. xii, 317.
- CHANCELLOR, the Lord, warrant to council, 34; tack to, 40; house rent, 163, 203; servants burgess and gildbrother, 174; App. i, 270.
- CHANCELLERY, the King's, precept for Parliament, 46.
- CHAPLAINRY of St. Ninian, 54.
- CHARLES I, relations with burgh, vii-xxv; letter anent ships, 3, 4; letter anent stipends, 15; envoy to, Burghs and Heriot, 20; and penal statutes, 21; presents sword and gown, 22; envoy to, Burghs and town, 25; debt to Heriot, 27; requires soldiers for France, 34, 35, and fortification of Leith, 37; and candlemakers' seal of cause, 43; and submission, 44; visit to Scotland announced, 45, 46, 47, 51; envoy to, Stornoway, 47; envoy, gunpowder and courts, 48; letter to Seaforth, 48; envoy to, Leith, Constable, 58; complaint to, trade in France and courts, 59; envoy to, Leith, Constable, etc., 60; and fisheries, 63; offers to, for new charter, 64, 66; to be informed as to Leith affairs, 72; and staple, 72; and Convention of Estates, 75; birth of his son, 76; offers to, Stornoway, 70; church repaired before his visit, 79; commissioners to, 79; petition to, ginnelling, 86, 89; petition, Court of Session, 89, 90; Burghs' petition anent Constable, 97;

- rumoured visit, 100; to be informed about Dunkirk, 104, 106; letter from, deacons, 113; proposals as to coin, 116; preparations, visit, 117, 118, 121, 123, 127; and postmastership, 120; and Constable, 122; coronation, burghs to be at, 127; burgesses at visit, 128; propine to, 128; borrowing for reception of, 129; payment to musicians etc., during visit, 129; birth of son, 134; letter from, bishop and church, 134; extent for visit, 137; letter from, Town companies, 144; commands as to St. Giles, 145, 147; and election of magistrates, 149, 150, 152; and seat in St. Giles, 154; and stipends, 154, 155, 156, 163; and shops round church, 155; accounts, expenses of visit, 157; his surgeon extraordinary, 165; book of his reception, 167; and new churches, 168; letter, Isle of May, 170; Burghs' commissioner to, 174; bargain of Broughton, 178; letter anent constant Council, etc., 179, 180; and tax on house rents, 181; and new provost, 193, 194; petition to, anent service book, 195; petition, the same and ministers, 197; commissioners to receive his answers, 204; and Glasgow Assembly, 209; arrival of his Commissioner, 217, 218; letter, new Assembly, 220, 221; and grants for ministry, 227; Burghs' commissioner to, 230; letter as to Castle, 231, 232; letters to Council, 235, 236; letter as to Earl of Argyle, 237; envoy to, Town and Burghs' affairs, 246; visit of, 247, 248, 253; committee for requests to, 249; and manslaughter case, 250; App. i, 255, 258, 259, 260, 262-8, 270; App. iv, 275-80.
- CHARTERS, ROYAL, x, xi, xvi, xxiii, xxv, xlv, xlv; offers to King anent, 64, 66, 67; grants in, modified, 67; privileges granted in, 96; App. xii, 316.
- , of Sheriffship, xxviii.
- , by Sir Robert Logan, 94; of Burghs' liberties, 105, 246.
- , house, inventory to be made, 187, 212; cabinets in, for writs, 209.
- CHARTERIS (CHARTEROUS), Mr HENRY, xxix; professor of divinity, 23, 24; deceased, 57.
- , Mr JOHN, minister at Currie, 87; payment to, for repair of church, 130; old houses near College bought from, 140, 171.
- , THOMAS, *bailie*, 35, 97, 209; *council*, 49, 114, 223; *water bailie*, 59; *baron bailie*, 59, 68; in Town company, 2; in charge of courts, 35; and collection for Parliament House, 122; valuer of house rents, 161.
- CHEESE, statute, forestallers, 91.
- CHIESLIE (CHISLIE), Captain, commanding reinforcements for Castle, 231.
- CHILDREN, enticing from Paul's Work, 106.
- CHIMNEYS, statute, sweeping, 61.
- CHRISTIE, (CRYSTIE, CRISTISON), HENRY, deacon, Leith Kirk session, 69.
- , JOHN, recruit for France, 35.
- , JOHN, waulker, *deacon*, 35, 49, 132, 150, 251.
- CHURCH of the Kingdom, the, collection in, for ministers of Palatinate, 89; petition against innovations, 201.
- CHURCHES, of south-west parish, 17; thanks giving in, for prince's birth, 76; repair of Currie, 130; burial allowed in, 133; commissioners to court about, 141; King's letter about, 145; petition about new, 147; two, to be built, 164, 165, 166, 168, 169, 170, 175, 181, 184; master of work for, 187; treasurer for new, 187, 190; legacy for building, 190; reader in, 190; repair of St. Giles, 191; borrowing for Tron, 199; price of land for new, 200; temporary preachers in, 211; legacy for building, 212; wall to be rebuilt in Great, 212; preparing for Assembly, 221; King's seat in, 221; legacy for building, 225; legacy, preaching in, 226; pews put in, 227; legacy diverted, 237; voluntary offering for, 243; and their parishes, 253, 254; App. xiii, 319, App. xvi, 324-5. *See also* ST. GILES, GREYFRIARS, etc.
- CHURCHYARD, St. Giles, minister's house in, 82; song school in, 221; to be levelled, 221.
- , Greyfriars, coffins forbidden in, 155; addition to, 175; tomb in, 182, 244.
- CLANDEBOWIE, Viscount, debt to Heriot, 27, 30.
- CLEGHORNE, ALEXANDER, wright, *deacon*, 97, 114, 251; sergeant, youths' company, 2; and ratification of statutes, 123.
- , THOMAS, goldsmith, *deacon*, 244, 251; to move from shop, 155; new shop, 178.
- CLERK, Common or Town, signs testimonial as to ship, 14; committee, High School, 52; signs statutes of wrights and masons, 125; signs testimonial, 125; servant of, 128; signs borebrief, 142; signs certification as to companies, 144; to register tax rolls, 154; and inventory of writs, 187; to summon factors of Campvere, 193; signs bill of health, 196; to write to Campvere about legacy, 206, 239; App. i, 266. *See also* GUTHRIE, Mr ALEXANDER, and HAY, Sir JOHN.
- , Depute, 126, 142, 174, 190.
- , Register, Lord, letter to, as to postmastership, 120, letter to, Earl of Errol, 122; information from, about fishing, 123; King's commands to, anent St. Giles, 145, 152; application to, tobacco patent, 150; letter to, 151; and King's letter about elections, 152; and King's letter about stipends, 154; brings King's letter, 193; King's choice of, as provost, 194, 196. *See also* HAY, Sir JOHN.
- CLERK, ALEXANDER, later Sir Alexander, Kt., of Stenton or of Pittencrieff, *council*, 1, 59, 150, 167, 182, 223; *provost*, 81, 97, 114, 132, 244, 251; commissioner, Broughton, 6; committee, King's visit, 46; committee, Leith affairs, 64; commissioner Estates and Convention, 78; to build dyke, 80; Estates and Convention, 82; commissioner to King, 128; loan by, 129; produced King's letter about elections, 149; commissioner, stipends, 155; on leet for provost, 194; committee, military discipline, 211; special committee, troubles, 236.
- , ALEXANDER, lodging of, 174.
- , David, gunsmith, to clean Town's armour, 206.

- CLERK, JAMES, out of country, 127.  
 —, WILLIAM, App. iv, 275.
- CLERKSON, WILLIAM, hammerman, *deacon*, 59, 81.
- CLEYNE, JOHN, in Wick, fined for trading, 55.
- CLOSES, leading to Society, 177; William Reid's, 253; Raplay's, 253.
- CLOTH, made in Paul's Work, 66; export to Spain, 169.
- CLOTHING, of poor in Paul's Work, 12; for soldiers, 166.
- CLUNYE, disposition dated, 107.
- COAL, xxxi, customs on, 67; export of, 94; customs on, in Dalkeith, 95, 96; signature of, 115; tax on exported, 141; export to Spain, 151, 168.
- COALHEUCHS, petition of owners, xxxi, 94.
- COATFIELD, purchase of, 42; agreement with tacksmen of, 52; disposition to Hospital, 56; loan for price, 74; lands from goodman of, 92; bond for loan, 94; payment, 95; valuation of teinds, 120.
- COCHRAN (COCHERANE, COCHERAN), ALEXANDER, weaver, *deacon*, 35, 49.  
 —, JAMES, *baillie*, 59, 182; *council*, 81, 196, 244; *dean of gild*, 209, 223; and Leith skipper, 14; committee, King's visit, 46; in charge of council affairs, 59; committee, Leith affairs, 64; committee, Parliament House, 104; committee, abuses in college, 183; petition, service book and covenant, 203; commissioner, Assembly, 209, 242; and cannon, 220; committee, Parliament, 222; commissioner, convention, 242, 248; App. xv, 321-4.
- COCKBURN, tack of teinds of, 41.  
 —, JOHN, trial forbidden, 34.  
 —, LAURENCE, surgeon, *council*, 16, 49; *deacon*, 59, 81; commissioner, convention, 52, 63, 77; for poor, 55, 62; commissioner, valuation of teinds, 56; committee, Leith affairs, 64.
- COCQUET Island, ship wrecked off, 14.
- COFFINS (mort kists) forbidden, 155.
- COINAGE, xxxii, convention about, 88, 98, 99, 113, 115, 116; committee, farthings, 95; burghs to discuss, 126. *See also* MONEY.
- COLLECTOR-GENERAL, viii.
- COLLEGE, the Town's, xiv, xviii, xxiv, xxxviii-xl, xiv, xlviii, xlix; chambers in, 4, 5; catechism for, 29; meeting in, for new professor, 61; students of, to attend St. Giles, 145; committee, abuses in, 183; public disputation in, 208; dial on, 210; cost of upkeep, 227; repairs to auditory, 230; revenue to be separate, 236, 240; hall of, for services, 254; in parish, 254; App. i, 264.  
 —, rules, to be registered, 51; for magistrands, 118; beginning of term and burials, 163; election, rector and assessors, 228, 229, 230; laws of, App. vi, 283-93.  
 —, legacies, bursars, 140, 171, 225, 232, 251, 253; books, 170, 190, 202, 234.  
 —, property, purchase of houses, 140; dyke round houses, 171; houses to be removed, 204; house for professor, 249; King's charter of lands, App. xix, 335-8.  
 —, principal, produces legacy of books, 15; former, 23; catechism by, 29; committee, High School, 52; to visit Stirling library, 54; gratuity to, 56, 78, 94, 110; examiner, High School, 101, 106; and magistrands, 118; and resignation, regent of humanity, 136; committee, vulgar schools, 158; produces catalogue, 158; and burials, 164; former principal's daughters, 167; to deliver inventory of library, 175; stipend settled, 176; to fill temporary vacancies, 209; commissioner, Assembly, 210, 242; stipend, 240; in college laws, App. vi, 283-93.
- COLLEGE, rector, xxxviii, xxxix; Mr Alex. Morison, 18; rules for, 228; Mr Alex. Henderson, 230; report by, on rental, 239.  
 —, professor of divinity, appointed 23; rules for, 25; to teach Hebrew, 25; new, 57, 58, 61; place of, promised, 78; resignation, 82; new, 82; gratuity, 158, 175; stipend and house rent, 24, 82, 240; legacies for, 62, 140, 224, 249, 253; App. vi, 293.  
 —, regents of philosophy, new, 15; resignation, 30; gratuity, 31; vacancy promised, 71; resignation, 98; new, 98; vacancy promised, 152, summoned and dismissed, 207; public disputation for, 208; new, 210; resignation, 227; new, 227; salaries, 240; resignation, 245; new, 245; App. vi, 283-93.  
 —, regent of humanity, becomes master of High School, 70; election, 70, 71; resignation, 135; new, 136, 137; promotion promised to, 152; resignation, 153; election, 183; act for promotion deleted, 183; new, 183; becomes regent of philosophy, 210; new, 210; salary, 240; App. vi, 285-6.  
 —, library, xi; books left for, 15; inventory to be printed, 15; cleaning and heating, 17; fines used for, 118; catalogue of, 158; keeper of, 158, 159; legacy, mathematical books and instruments, 170; inventory, 175; payment for making catalogue, 183, 190; new books, 202; legacy for, 225; legacy of books, 234; additions in catalogue, 235; books bought for, 246.  
 —, OF JUSTICE, xii, xvi, xliii, xlv; senator of, Principal of College, 18; Lord President of, 86; proposed contribution, Parliament House, 104; new buildings for, 109; tomb for member, 182; and election of regent, 183; and stipends, 188, 191; to concur with Council for defence, 214; App. i, 255.
- COLLEGE, TRINITY, *see* HOSPITAL, TRINITY.
- , KIRK, *see* TRINITY COLLEGE KIRK.
- COLLEN (COLEIN, COLEYNE), Mr William, minister, chosen for town, 162; presented to parish, 199; refuses, 203; elected, 212; committee, High School, 227.
- COLMONELL (CALMONELL), minister at, 178.
- COLOURS, Town's, second company of youths to carry, 2; merchant and craft youths to carry, 23; orange, 127; gridilene, 127; inhabitants to attend, 215; companies under, to Castle, 231; company on watch to assemble under, 241.
- COLVILLE (COLVEIN), JAMES, first Lord, of East Wemyss, teinds of, 57, 61.



COLVILLE, Mr ALEXANDER, of Blair, Justice Depute, burghess and gildbrother, 106.

COLVIN, Mr WILLIAM, xli, xlii, minister, town parish, 253. *See also* COLLEN.

COMDANE, *see* COWDAN.

COMMISSION, Court of High, xliii, settling in Edinburgh, 128; discharged, App. xv, 322.

COMMISSIONER, the High, xviii, xix, xxxvii, xli; arrival of, 217; letter to Council, 217; answered, 218; at Glasgow Assembly, App. xv, 321, 322.

COMMON CAUSE, the, collectors for, 237; legacy for, 237.

— GOOD, the, ix, xv, xxxix, xliii, xlv; and stipends, 15; redemption of annual on, 31; extent for relief of, 49, 81, 92, 95, 109, 113, 137, 161, 181; expense of college on, 227.

— Prayers, petition for restoration, 197.

COMMUNION, silver cups for the, 243.

COMPANIES, Town's, xiii, xiv, xviii, xix, xxi, xxii, xxiii, xlv; of youths, 1, 2; merchant and craft youths, 23; trained soldier for, 33; drillmaster, 41; ensign-bearer of, fined, 107; sergeants elected, 127; King's letter about patent for, 144; captains and ensigns elected, 202; general musters, 215; arms for, 216; colonel for, 220; in Leith, 220; colonels dismissed, 221; to watch in turn, 241; colonel appointed, 244; colonels dismissed, 251.

CONDON, *see* COWDAN.

CONSERVATOR of the Scottish Privileges in the Netherlands, xxx, xxxi; letter, 72; and new minister, 73; testimonial to factor, 202.

—, DEPUTE, App. ii, 271.

CONSTABLE, Lord High, x, xxiv-vi; xxviii-xxx; summons to magistrates, 58; commission to King about, 58, 60; petition of burghs against, 97; convention anent, 113; letter to court anent, 122; and case of manslaughter, 249, 250; quarrel with Town, App. iv, 273-80; App. xiii, 318, 319.

CONSTABLES, to round up beggars, 112; to be assisted by neighbours, 151; to take vagabonds to Correction House, 172.

COOPERS, of Leith, xxxiv, 222; ratification of statutes, 123.

COPENHAGEN (CAUPMAHOLME), Governor of, and ship seized wrongfully, 222.

CORDINERS, *see* SHOEMAKERS.

CORN, measure of, 182.

CORONATION OF CHARLES I., xiii, xxx, xlv, 47, 100, 127.

CORONERSHIP, xxv, xxxvii, 64, 66, 96.

CORRECTION HOUSE, xlix, 1; statutes, 10; establishment of, 107; master, 108; committee, repairs, 110; accommodation, 110; regulations, 111; account of furnishings, 119; further regulations, 172; master re-elected, 173; contract, excluding, 252; in Town Parish, 253; letters patent of, App. xi, 315-6, 317.

CORSTORPHINE, stipend of minister at, 180.

COUNCIL, Privy (Secret), xi, xiii, xv-viii, xxvi-ix, xxxi, xxxii, xxxv, xxxvi, xxxvii; letter, King's ships, 7; discharge, tax, 7; warrant, murder trial, 34; weaponshowing, 36; and fortification of Leith, 38, 39; and

patents of Admiralty, Stornoway and gunpowder, 46; commission, justice courts, 48; sentence, Admiral and Tod, 55; offers as to charter to be ratified before, 67; charge, decree against Leith, 72; notification, Estates, 77; commissioners to King named by, 79; payment to, 79; accept offer of tax, 81; matter of money proposed by, 82; decree, girmelling, 86; and coinage 88; and collection for ministers of Palatinate, 89, 94; and terms of Session, 89; and fishing, 90; petition to, salt, 94; order, yarn, 99; letters to, 100; and new buildings, 109; and coinage, 116; house for, 119; exempt from contribution for stipends, 126; settling of, in Edinburgh, 128; and muster master, 140; order by, famine in Orkney, 145; table cloth for, 155; sanction levy on house rents, 161; exempted from levy, 161; burials of, students to attend, 164; and light on Isle of May, 170; exempt from house rent tax, 175, 176; act of, stipends, 188; and service book, 194; proclamation, removal of, 197; answers from, service book and covenant, 203-4; App. i, 256.

COUNCIL, TOWN, vii, *passim*.  
elections, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; interference with, 131, 149, 150.

—, —, (including Provost, bailies and ordinary deacons), elect commissioners for convention, 2; appoint two companies of youths, 2; order imprisonment for riot, 2; servants to appear before, 3; King's letter to, 3; gratuity to ministers, 4; and new chambers in College, 5; depose officer, 5; and Heriot's legacy, 5; report on purchase of land, 6; order payment to Burghs, 7; payments, Heriot's affairs, 7; and change of ministers, 8; and Heriot's legacy, 9; rules, Correction House, 10; instructions, gunpowder, 13; borrow to buy Broughton, 13; King's letter to, ministers, 15; and Drummond, 16; and E. of Roxburgh's debt, 16; elect elders and deacons, 17; and library, 17; elect rector, 18; letter from, to Dr. Baleanquell, 19; and bond to Heriot's executors, 19; order new market, 20; borrow to pay legacies, 20; appoint new poor's surgeon, 22; and site for Heriot's Hospital, 28; catechism dedicated to, 29; statutes of Heriot's, 30; payment to regent, 31; and bond, 31; and High School, 31; engage drillmaster, 33; to stop murder trial, 34; hours of meeting and gowns, 35; bailie for affairs, 35; and recruits for France, 35; decree, skimmers, 40; and brewing in Leith, 42; silver bowl left to, 43; and candlemakers, 43; and Stornoway, 48; hours of meeting, 49; bailie for affairs, 49; and College rules, 51; and Stirling library, 54; guarantee to water bailie, 55; elect professor of divinity, 57; summoned by Constable, 58; and justice courts, 59; bailie for affairs, 59; instructions, Leith, 60; receive new professor, 61; admit burghesses, 63; elect drillmaster, 63; not to enforce Leith



decease, 72; allow printer an extra prentice, 72; and convention of Estates, 77; and Bonnington mills, 78; and Leith customs, 80; and skinnners' decease arbitral, 83-5; and College legacy, 87; appoint keeper of pumps, 87; proclamation, beggars, 88; collection, ministers of Palatinate, 89; statute, forstallers, 91; order anent dog, 100; debts, 100; rules, High School, 101; proclamation, children of Paul's Work, 106; inspectors, High School, 106; and Drumsheugh's feu, 106; fine ensign-bearer, 107; and Correction House, 108; select site for Parliament House, 109; order gratis burgess-ship, 109; and forfeited timber, 114; appoint bellmen, 117; entertainment for King, 121; and street cleaning, 121; statute, plaids, 122; ratify rules of wrights and masons, 125; order addition to burgess oath, 129; condemn skinner, 131; cancel drillmaster's pension, 131; accept legacy for College, 140; purchase old houses, 140; allow burial of Bishop in church, 142; collection for Orkney and Caithness, 145; confirm acts of Burghs, 146; sentence, riot, 147; to buy house, 148; protest, election, 149, 150; postpone riding of marches, 151; and roup of grass, 152; King's letter, elections, 152; promise vacancy in College, 152; statute, deacons, 153; order, stipends, 154; intimation, shops round St. Giles, 155; forbid coffins, 155; and stipends, 156; appoint secret committee, 157; sell land to Heriot's Hospital, 160; and tax on rents, 161; King's thanks, stipends, 163; approve purchase of house, 163; statutes, college, 163; agreement, teinds, 164; bond for money advanced, 165; order, non-contributors to buildings, 166; and donation for poor, 166; and privilege of burgess-ship, 167; reappoint secret committee, 167, 169; restrict penny bridals, 171; regulations, Correction House, 172; promise vacancy at Wemyss, 174; appoint church for parish, 174; order, exemption from tax, 175; appoint committee, Leith affairs, 176; and stipend of principal, 176; money for Parliament House, 176; order roll of house rents, 176; allow doors to a close, 177; King's letter, constant council, 179, 180; appoint convention, Book of Rates, 181; to buy land for church, 181; fine skipper, 184; declaration, Town's signature, 184; regulations, ballast, 186; order borrowing for Kirk sessions, 187; approve inventory for writs, 187; and stipends, 188; statute brokers, 188; and journeymen shoemakers, 189; attend provost's funeral, 191; order banquet, D. of Lennox, 193; elect provost, 194; petition, service book, 195; statute, plaids, 196; warrantice to commissioners, 198; and ballast master, 198; and dry dock, 199; dismiss jailor, 199; tack of ballasting, 200; and new minister, 203; borrowing for Parliament House, 203; and old houses, 204; summon two regents, 207; statute, Leith weavers, 208; borrow for tax, 210; appoint assessor, Assembly,

210; appoint committee, military discipline, 211; call Mr Alex. Henderson, 212; order rebuilding, St. Giles, 212; and ransom, Turk's prisoner, 214; borrow for defence of kingdom, 214, 215; appoint clerk to Kirk sessions, 216; letter of High Commissioner, 217, 218; borrow for emergencies, 219; elect extra bailie of Canongate, 219; King's letter to, 220, 221; tax for loan during troubles, 223; fine merchant for fire, 224; statute drying skins, 224; to administer legacy, 225; allowance, loan, 226; bond transferred to, 228; elect rector and assessors, 228; King's command as to Castle, 231, 232; and legacy to College, 232; hold court in Canongate, 235; King's letter anent E. of Argyll, 237; answer Lord Ettrick's letter, 238; order, refractory neighbours, 238; order, weekly meeting, 239; order collection of tax, 240; order watch, 240; object to barons' claim, 241; to pay soldiers for Castle blockade, 242; and McCall's will, 245; order summons for Parliament, 246; and synod, 247; order repair of mealmarket, 247; and manslaughter case, 249, 250; arrangements, legacies, 251, 252; arrange parishes, 253.

COUNCIL, Town, (with extraordinary deacons), elect commissioners, 1; order trial for tumult, 3; act of, tax, 4; order banquet, 6; elect ministers, 9; elect envoy to London, 9; elect regent, 15; act, companies, 23; act, stipend, professor of divinity, 24; order payment to Hay, 25; pass Heriot's accounts, 33; elect minister, 39; agree to purchase for Hospital, 42; agree to submission, 44; and King's reception, 47; grant for repair of bridge, 51; and valuation of teinds, 57; offers to King anent charter, 64, 67; customs, West Lothian, 67; receive new deacon, 67; appoint committee, affairs before Estates, 75; grant feu to Drumsheugh, 76; and Hay's expenses, 79; and alteration of session, 89; and ginnelling in Leith, 93; renunciation of customs, 95; elect new regent, 98; appoint extra assessors, 103; receive printer burgess, 109; and collector of escheats, 112; grant tack to Dick, 114; order payment to Lord Holyroodhouse, 117; elect new dean of gild, 120; prepare for King's visit, 123; appoint extensors, 138; to meet about elections, 149, 150; dismiss regents, 207; agree to extra watch, 234.

—, (with assistance of neighbours), consider fortifying Leith, 36, 39; and King's reception, 46; proceedings about Stormoway, 66, 77; agree to tax, 81; building of Parliament House, 103; Correction House, 107; preparations for King's visit, 117; and King's letter about St. Giles, 134; agree on composition for tax, 135; agree to extent, 137; and two new churches, 164, 168; agree to borrow for Parliament House, 176; petition as to Service Book, 201; and alteration of St. Giles, 213; and pews, 227; order special watch, 234; appoint special committee, 236; resolve to raise army, 236; agree to banquet for King, 248.

- COUNCIL, Town (and community), commission-  
 anent Service Book and Covenant, 203;  
 share of College of Justice in defence, 219.
- , — (with four Kirk sessions), elect com-  
 missioners to Assembly, 209.
- , — (with nobility, gentry and others)  
 answer High Commissioner's letter, 218,  
 219; debate answer to King's letter about  
 Earl of Argyle, 237.
- , —, Commissioners from, to conventions,  
 9, 27, 37, 44, 63, 188, 220, 242, 245, 246,  
 247, 248; to parliament, 46, 242, 245, 246,  
 247; to Assembly, 209, 222, 242; for  
 regent of humanity, 70, 71, 137, 183, 210;  
 purchase of Broughton, 6; to Archbishop  
 of St. Andrews, 15; to commission of  
 revocation, 24, 38; to Privy Council, 46;  
 Admiralty, 63; to new bishop of Edin-  
 burgh, 142; France, 147; to buy house,  
 148; to petition against service book, 197,  
 203; and armoury, 204; bond by, money  
 borrowed for Kingdom, 223; to synod,  
 246; to King and court, 26, 123, 126,  
 127, 129, 141.
- , —, Committees of, affairs at court, 10,  
 56, 64, 70, 79; conventions, 52, 113, 116,  
 121, 132; parliament, 75, 121, 222, 249;  
 King's visits, 46, 51, 100, 118, 247, 248,  
 249; Heriot's Hospital, 27; military  
 affairs, 36, 211, 219; High School, 52, 227;  
 St. Paul's Work and Correction House, 52,  
 110; Currie church, 74; Drumshough, 74;  
 collection for poor, 78; drapery, 90;  
 farthings, 95; Parliament House, 104, 202;  
 Broughton, 113, 178; decay of trade, 116;  
 St. Giles, 137; taxation, 138; ministers,  
 140, 154, 155, 242; affairs in France, 147;  
 secret, 157, 167, 169; vulgar schools, 158;  
 marches, 162; Leith skippers, 175; con-  
 stant council and companies in trade, 180,  
 185; College, 183; Trinity House, 183;  
 Assembly, 210; trade with England, 253.
- , —, Hay's letters to, App. i, 255-70;  
 Earl of Roxburgh's letter to, Ib. 269;  
 letters from Campvere, factor and minister,  
 App. ii, 271, App. iii, 272, 273; dispute  
 with Constable, App. iv, 273-80; and  
 candlemakers, App. v, 281-2; rules for  
 College, App. vi, 292; and Admiral, App.  
 vii, 299; and Leith, App. viii, 299, App. x,  
 311, App. xiv, 320; and Correction House,  
 App. xi, 315; instructions of, App. xii, 316;  
 letter to, from Court, App. xiii, 318; letters  
 to, from Assembly, App. xv, 321; letters  
 of gift to, App. xvi, 324, App. xvii, 326,  
 App. xix, 335, App. xx, 338; and Brough-  
 ton, App. xviii, 328.
- , —, emergency, 219.
- , —, and Session, Lords of, xlv. *See* SESSION.
- , —, of War, the King's, 8, 22.
- , —, house, 3, 14, 36; laich, 200.
- COURT, viii, ix, x, xi, xii, xvii, 6, 13, 25, 42, 57,  
 64, 75, 79, 94, 122, 170. *See also* CHARLES I.
- , —, circuit, xxxii.
- , —, Justice, xxxii, 48, 59, 60. *See also* JUSTICE  
 AYRES.
- , —, Town, xi, bailie for, 35, 49, 59; assessors  
 for, 103, in Canongate, 235.
- COVENANT, the NATIONAL, ix, xvii, xviii, xxii,  
 xxx, xxxviii; ratification of, 201; answers  
 anent, 204; Lord Erskine signs, App. xv,  
 322.
- COVENANTERS, the, xx, xxii.
- COWAN, JOHN, journey to London, 46.
- COWDAN (COMDANE, CONDON, COUDOUN),  
 WILLIAM, French schoolmaster, xlix, 140,  
 162, 223, 245.
- COWGATE, mealmarket at, 247; boundary of  
 parishes, 253, 254.
- CRAFTS, deacons, 1; company of youths, 23;  
 committee, Assembly, 210; committee,  
 military discipline, 211; arms for, 215.  
*See also* DEACONS and under separate  
 headings.
- CRAIG, THOMAS, of Riccarton, tack of teinds, 41.
- , THOMAS, bonnetmaker, *deacon*, 1, 14.
- CRAIGEND, teinds, 75.
- CRAIGCRUIK, Goodman of, paid for lands, 32.
- CRAIGIE, HEW, owner of part of Dumbarny, 75.
- , LAURENCE, owner of parts of Pitcaithlie  
 and Kilgraston, 75.
- CRAILL (CARAILL), Summoned to convention, 113,  
 115; information to, 123.
- CRAMOND, minister of, xli, 162, 198, 203, 212.
- CRANSTON, ROBERT, and destruction of house, 43.
- CRAWFORD (CRAWFURD), GEORGE, in Town  
 Company, 2.
- , —, shoemaker, *deacon*, 97, 114.
- , —, goldsmith, *deacon*, 132, 150.
- , —, Mr THOMAS, xlix, master of High School,  
 70, 71, 101; professor of mathematics, 245.
- CRAWIN, JOHN, valuer of rents, 161.
- CREICHTON, DAVID, postmaster, 151.
- , —, Mr JOHN, minister at Campsie, 4.
- , —, JOHN, burgess and gildbrother, 9.
- CROMWELL, OLIVER, xxxvii. *See also* PROTECTOR.
- CROWN, relations of Burgh and, vii-xxv.
- CROWNS, Union of the, xxi, xxx.
- CRUIKSHANKS, DAVID, exporter to Spain, 146;  
 legacy to Hospital, 240.
- CULROS, convention at, 54, 56; money granted  
 to, 80; summoned to convention, 113,  
 115, 179; information to, 123.
- CUNNINGHAM, THOMAS, factor at Campvere,  
 summoned, 193; signs letter, App. ii, 271.
- CUPAR (COUPAR), summoned to convention, 113.
- CUPS, silver, given to south-east parish, 211; to  
 be bought for communion, 243.
- CURRIE, accounts for, 13, 31, 53, 147; tack of  
 teinds, 41, 54; new collector, 55, 240;  
 valuation of teinds, 56; repair of church,  
 74, 130; minister at, 87, 240.
- CURRIEHILL, Tack of teinds, 86.
- CUSTOMS, xxx, xxxi; on victual and coal of West  
 Lethian, 64, 66, 96.
- , —, Petty, of Leith, 80; of Dalkeith, 96.
- CUTHBERT, CORNELIUS, mace-bearer, 34; clerk of  
 markets, 38.
- DAIRMIE, ISOBEL, wife of John Herring, 142.
- DALGLEISH, JAMES, bond by, 105, 120, 128.
- , —, ROBERT, bellman, 117.
- DALKEITH, recruit from, 35; valuation of teinds,  
 55; customs of, 96.
- DALRYMPLE, ANDREW, wright, *deacon*, 209.
- , —, WILLIAM, tailor, recruit, 35; burgess, 53.

- DALYELL, Sir ROBERT, threats to Hay, App. i, 260; accusations against Town, Ib. 267, 268; audience with King, Ib. 270.
- DALZELL, JAMES, vulgar schoolmaster and reader, 17.
- , Mr THOMAS, burgess and gildbrother, 6.
- DANIELSTOUN, *see* DENNISTON.
- DAVIDSON, JOHN, surgeon, *council*, 59; for poor, 62.
- , —, arrest ordered, 2.
- , —, tailor, burgess, 148.
- , RICHARD, lands of, 119.
- DAWLING, JAMES, master of *Margaret* of Queens-ferry, bill of health, 104.
- , Mr JOHN, chaplain of St. Ninian's altar, 54.
- , —, advocate, 166.
- , THOMAS, donation for poor, 166.
- DEACONS OF CRAFTS, for the year, 1; elections, 14, 35, 49, 59, 67, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; elections for vacancies, 65, 99, 117, 213; King's letter about, 113; statute, to be working craftsmen, 153; to attend provost's funeral in black gowns, 191.
- , —, extraordinary, xii; agree to tack of Society, 19; ratify act, fortification of Leith, 37; approve envoy to court, 42; consent to acts, Parliament House and Correction House, 109; ratify grant to North Berwick, 117; ratify act, King's visit, 118; consent, alterations in St. Giles, 135; ratify sale of land to Heriot's Hospital, 162; agree to appointment of master wright and master mason, 186; agree to borrow for ministers' stipends, 188.
- , of Kirk Session, 17, 254.
- DEAN OF EDINBURGH, *see* HANNA.
- DECREE ARBITRAL, skimmers', 83; King James', 153.
- DELAWEY (DELAUNE), GIDEON, one of Heriot's executors, 20, 26, App. i, 256, 258.
- DENMARK, agreement with merchant of, 184; petition anent ship captured near, 222.
- DENNISTON, ALEXANDER, on King's leet for bailie, 149; *bailie*, 150; *council*, 167.
- , JAMES, goldsmith, *deacon*, 97, 114; committee, King's visit, 100; committee, Parliament House, 104; commissioner, convention, 114, 115, 117; and shop at St. Giles, 155, 178.
- , —, servant of Lord Ramsay, burgess and gildbrother, 63.
- DIAL ON COLLEGE, 210.
- DICK, FRANCIS, merchant in London, loan by, 129.
- , JOHN, weaver, *deacon*, 14.
- , WILLIAM (later Sir WILLIAM, Kt.), xviii *Council*, 1, 114, 150, 167, 182, 196, 244, 251; *bailie*, 97; *dean of gild*, 132; *provost*, 209, 223; officer offends, 5; gunpowder bought from, 13, 15; owner of wrecked ship, 14; tack of Society, 19, 38, 114; and Heriot's affairs, 19, 24, 27, 30; produces legacy for Hospital, 52; commissioner, convention, 99, 100, 102, 116, 132, 204, 206; commissioner to King, 127; and gild accounts, 142, 182; committee, liberties of France, 147; loan for war, 214; produced High Commissioner's letter, 217; coppers in Society for cannon, 220; debt of, 232; burial-ground in Greyfriars, 244; ship of, 248; committee, trade with England, 253; App. i, 257.
- DICK, WILLIAM, younger, 186; *council*, 251.
- DICKSON, ADAM, trial forbidden, 34.
- , ALEXANDER, master of Paul's Work, apprentices, 18.
- , Mr ALEXANDER, minister, 252.
- , Mr JOHN, procurator-fiscal, 118, 157.
- , JOHN, surgeon extraordinary to King, burgess and gildbrother, 165.
- , —, flesher, overseer, Paul's Work, 11; master ditto, 39.
- , —, broker in Leith, 189.
- , THOMAS, son not to be tried for murder, 34 son King's surgeon, 165.
- DINGWALL, beggars in, 88.
- DIVINITY, *see* COLLEGE, professors.
- DOBY, RICHARD, lands for new church, 174.
- , —, of Stainiehill, loan from, 198.
- DOCK, dry, permission to build, 199.
- DODS, THOMAS, plumber, keeper of pumps, 87; to supply lead for Parliament House, 220.
- DOO, mastiff, li; to be put away, 100.
- DONALDSON, JOHN, servant of General Leslie, burgess and gildbrother, 242.
- DOUGLAS, Mr ARCHIBALD, doctor in High School, 116.
- , ARCHIBALD, burgess and gildbrother, 9.
- , —, Captain, burgess and gildbrother, 63.
- , —, in Dalkeith, recruit for France, 35.
- , Captain, gunner's mate of, 1, 22.
- , DAVID, surgeon, *council*, 167; *deacon*, 196, 209, 239, 244; valuer of house rents, 161; commissioner, convention, 248.
- , GEORGE, servant of the Earl of Haddington, burgess and gildbrother, 205.
- , Sir JAMES, of Mensill, burgess and gildbrother, 9.
- , JAMES, Secretary Depute, legacy, mathematical books, xl, 170.
- , PATRICK, baker, *deacon*, 1, 81, 97; in Town company, 2; master of Trinity Hospital, 36, 50; legacy to Hospital, 141.
- , Mr ROBERT, minister, xlii, 253.
- , WILLIAM, of Cavers, sheriff of Teviotdale, burgess and gildbrother, 63.
- DOWNIE, ALEXANDER, skipper in Leith, on deputation, 175.
- , JAMES, master of the *George* seized in Denmark, 222.
- , WILLIAM, writer, procurator-fiscal to Constable, App. iv, 279.
- DRAPEY, council for, 90.
- DRILL, beside Heriot's Hospital, 215.
- , MASTER, 33, 41, 58, 65, 131.
- DRUMLANRIG (DRUMLANERICK), the laird of, servant made burgess, 9.
- DRUMMERS, Town, payment to, 127.
- DRUMMOND, Mr DAVID, library at Stirling, 54.
- , Mr HENRY, servant to Lord Monteith, burgess and gildbrother, 90.
- , JAMES, impertinence to dean of gild, 22.
- , —, Mr, burgess, 141; to renounce right to minister's houses, 141.
- , Mr PATRICK, Conservator, letter from, 202.
- , Mr WILLIAM of Hawthornden (Hathrindall) gift of books, xl, 15; burgess and gildbrother, 16; to visit Stirling library, 54.



- DÜDDINGSTON, Laird of, servant made burges, 136. *See also* THGMSON, Sir THGMAS.  
 DUFF, WILLIAM, skipper in Leith, disrespect to magistrates, 14, 21.  
 DUMBARNY, tack of teinds, 70; valuation of teinds, 74, 75; minister's stipend, 157.  
 DUMBARTON, xxxii; information to, 123.  
 DUMFRIES, summoned to convention, 113.  
 DUN, WILLIAM, tenant of Dumbarny, 75.  
 DUNBAR, convention at, 1, 7; summoned to convention, 113.  
 DUNBLANE, Bishop of, loan by, to Town, 178, 198; excommunicated by Assembly, App. xv, 323.  
 DUNCANSON, Mr JOHN, minister, 9.  
 —, PATRICK, servant to Laird of Duddingston, burges, 136, 139, 182.  
 DUNDEE, summoned to convention, 112, 116, 179; information to, 123; at coronation, 127; bishop of Edinburgh at, 142.  
 DUNFERMLINE, xxx; summoned to convention, 113; convention at, 220, 221.  
 DUNKELD, Bishop of, on High Commission, 68; deposed by Assembly, App. xv, 323.  
 DUNKIRKERS, and capture of ships, 23, 104, 106, 107.  
 DUNS, camp at, xix, xxii, 243.  
 DUPPLIN, GEORGE, Viscount, Lord Chancellor, and lands and teinds of Dumbarny, 70; collector-general of taxation, 87.  
 DURHAM, plan of choir at, 174.  
 DUTCH, school for, xlix, 71.  
 — MEN, proposed plantation at Stornoway, xxxii, 66.  
 DYEING (Litting), house for, at Paul's Work, 74.  
 DYSART, message to, 92; convention accounts, 102; summoned to convention, 113, 115, 179; information to, 123.  
 EAST INDIA COMPANY, legacy delivered by, 206, 239.  
 EASTER SEAS, borebrief to merchant in, 14; plague in, 184; merchants of, 186.  
 EDGAR (EDYEAR), EDWARD, *council*, 1, 81, 167, 223; *bailie*, 59, 150, 209; bailie in charge of courts, 59; on King's leet, 149; and College library, 167; reports resignation of clerk to sessions, 216; committee, affairs in Parliament, 222; committee, High School, 227; special committee, troubles, 236.  
 —, JAMES, shoemaker, *deacon*, 251.  
 —, JOHN, treasurer to Parliament House, to procure oak, 184; repaid, 197, 211; agreement, lead for roof, 220, 224; finishing turnpikes, etc., 221.  
 EDINBURGH, vii *passim*; affairs of, at court, 13, 25, 47, 141; training in arms, 37, 41; Parliament, 46; insignia, 53; charge of horning, 59; water works planned for, 61; charter of, 64; needs of, 75; articles about, 77; signature of new charter, 77, 79, 127; delegates of Estates to meet in, 80, 81; convention in, 102; timber escheat to use of, 115; decay of trade in, 116; rights and privileges, 123; inhabitants of, and stipends, 126; coronation, 127; money due to, by Burghs, 128; borrowing for affairs of, 130, 189; general convention in, 143; Leith woman not to trade in, 151; inhabitants to help constables, 151; secret committee, affairs of, 157; house rents in, 161; teinds of lands belonging to, 179, 180; lands of Broughton belonging to, 180; writs of, 187; legacy, poor householders, 190, 225; public works in, 195; removal of Council and Session from, 197; quiet in, 198; armour belonging to, 205; muster of inhabitants, 215; Assembly to be in, 220; affairs of, in Parliament, 222; share of taxation, 223; legacy, servant maids, 234; legacy, bread for poor, 234; special committee, affairs of, 236; to support force against invasion, 237, 238; negligence in watch, 240; burgesses leaving, to lose liberty, 241; soldiers in, 242; convention in, before Parliament, 243; gift by Lady Yester to, 244; private affairs, 246; repayment by Estates, 246; complaints against, at synod, 247; plea as to Leith, App. i, 267.  
 EDINBURGH, Bishop of, xlv, xlv, 133; buried in St. Giles, 142; payment to widow, 156; new, to be congratulated, 140, 142; favour asked, 153; excommunicated by Assembly, App. xv, 323.  
 —, Bishopric of, xxiv, xl, xlv, xlv; rents of, for College, App. xix, 335-8.  
 —, Deanery of, xxiv, xlii.  
 EDMISTON (ADMISTOUN), JAMES, tailor, second company of youths, 2; master, Trinity Hospital, 14.  
 —, JOHN, xlviii; *council*, 244; instructions to, St. Giles and King's seat, 221.  
 ELCHO, Lord, agreement, teinds, 164.  
 ELDER, ROBERT, messenger, 46.  
 ELDERS, annual election, 17, one, appointed Kirk Treasurer, 86, 102, 117; and collection for famine, 146; to be four to each Kirk Session, 254.  
 ELFALT, Lord CHRISTOPHER, Governor of Copenhagen, letter to, 222.  
 ELGIN, summoned to convention, 113.  
 ELLIOT (ELIOT), Dr. James, minister, xli, xlii; appointed from Glasgow, 170, 171, 183; stipend, 205, 223; and College affairs, 207; decision of Assembly as to, App. xv, 322, 324.  
 —, Mr JAMES, doctor in High School, 141.  
 ELLIS (ELEIS), JAMES, factor in Campvere, 99, 193.  
 —, *council*, 132; to vote, election of professor of divinity, 140; *bailie of Leith*, 251.  
 —, PATRICK, *bailie*, 1; *council*, 14, 35, 59; to Privy Council about ships, 7; committee, Heriot's Hospital, 27; committee, King's visit, 46; deceased, 65; legacy by widow, 116; legacy, professor of divinity, 140.  
 —, PATRICK, father of above, legacy diverted to professor of divinity, 140.  
 ELPHINSTON, Mr JOHN, on Leith session, 68.  
 ENGLAND, viii-x, xxiii, xxiv, xxvii, xxxi, xxxiii; Hay in, 86; and fishing, 92, 105, 123; export of salt to, 94, 169, 170; master of Correction House from, 110; expenses, commissioners to, 145; messenger to, 151;



- purchase of lead in, 224; rights of inhabitants, in Scotland, 235.
- ENGLAND and Scotland, commissioners of, xxiii.
- ENGLISHMEN, xxi; and water works, 61; fined for not entering goods, 133; received burgess and gildbrother, 205.
- , Captains reinforcing Castle, xx, xxi.
- ENSIGN (ANSEIGNYIE), merchant, 2; bearer for craft youths, 54; bearer fined for absence, 107. *See also* COLOURS, Town.
- EPISCOPACY, xx, xl, xli.
- ERROL, ANDREW, Earl of, High Constable, App. iv, 274.
- , WILLIAM, Earl of, High Constable, journey to court, 122; App. iv, 274, 275.
- , GILBERT, Earl of, High Constable, xxvii, xxviii; and manslaughter case, 250, App. iv, 279, 280. *See also* CONSTABLE, High.
- , Earls of, xxvii.
- ERSKINE, Lord, patent of tanning, xxx, 21, n.; signs Covenant, App. xv, 322.
- ESCHEATS, rights of, 64; to be collected, 112; to be judged, 112; of timber, 115; of plaids, 122.
- ESTATE, barons' claim to be third, xxii, 241.
- ESTATES, Committee of, viii, xviii, xxi, xxii, xxxvii, xli; order tax for army, 238; loan at request of, 240; command blockade of Castle, 242; letter of thanks from, 243; act for repayment of loan, 246; announce prorogation of Parliament, 246.
- , Convention of, xi, xx-iii, xxxvii; tax granted by, 49; committee to prepare for, 75; warning for, 77; commissioners to, 78; assessor to, 78; convention to prepare for, 81; extent offered by, 81; special meeting of, 82; at Perth, 95; and fees of muster master, 140; act of burghs anent, confirmed, 146; to repay money for army, 243.
- ETTRICK, Sir PATRICK RUTHVEN, Lord, Governor of Castle, xx, xxi, xxii; King's letter for assistance to, 236; letter to provost, 238.
- EWART, Mr PETER, minister, house of, 82; grant to, 252.
- EWING, THOMAS, factor at Campvere, and letter about minister, App. ii, 271.
- EXCHEQUER, Lords of, xx; commissioners to, anent patents, 46; accommodation for, 119; settling of, in Town, 128; arrangements with, tax, 136; and Scaforth's signature, App. i, 264.
- EXPORTS, of salt, petition anent, 94, 115; of coal, tax on, 141.
- EXTENTS, accounts of, 12, 39, 79, 118, 127, 152, 169, 192, 238; roll for second term of, 14, 16; balance paid to Treasurer, 24; third term, 39; burgess to pay all, 41; last term, 49, 51; offered by Estates, 81; bailies to borrow for, 32; for King's tax and common good, 113; for King's visit, 118; for Session, King's tax and common good, 135; extenters to allot, 154; printer's widow excused, 167; for rebuilding of St. Giles, 168; roll to be revised, 168, 169; on house rents, 175, 176; of 40,000 merks, 183, 213; for special watch, 234; to buy gunpowder, 248. *See also* Taxation.
- FACTORS, of Campvere, 98, 193, 202, declaration as to Scots merchandise, 202.
- FAIRHOLME, JOHN, *council*, 244.
- FAIRLIE, Mr ALEXANDER, swordbearer, 25.
- , Mr JAMES, minister, xxxix, xli, xlii; professor of divinity, 57, 58, 61; Town minister, 82; resigns professorship, 82; and election of regent, 98; inspector, High School, 106; stipend, 156; promised vacancy of Greyfriars, 163; appointed bishop, 191, 199.
- , Mr ROBERT, doctor in High School, 31.
- , William, of Brunsfield, loan by, 198.
- FAMINE in Orkney and Caithness, 145, 147.
- FARQUHAR (FERQUHARE), EDWARD, *baron bailie of Leith*, 13, 182; *bailie*, 49, 132; *council*, 59, 150; *water bailie*, 182; in charge of Leith affairs, 49; extent collected by, 79; committee, decay of trade, 116; to assess for "two of ten," 138; special committee, troubles, 236.
- , ISOBEL, legacy to hospital, 244.
- , JAMES, merchant of Aberdeen, and captured ships, 252.
- , LAURENCE, widow to Hospital, 60.
- FARTHINGS, *see* COINAGE.
- FENCING, school of, 80.
- FENTON, JAMES, tailor, *council*, 251.
- FERDINANDUS, SIGISMUNDUS, of Lesmich, debts of, 201.
- FIELD-PIECES, *see* CANNON.
- FIFE, valuation of teinds, 61; church of Leuchars in, 202; journey to, 202; minister from, 212.
- FINES, accounts of, 12, 23, 39, 79, 91, 118, 127, 151, 192, 213, 239; for unfree trading, 55, 102, 223; for not sweeping chimneys, 61; insufficient barrels of salmon, 61; for not entering ship, 61; on regraters of wool, 80; for wearing plaids, 91, 196, 247; ensign-bearer, for absence, 107, 110; magistrates, for disorder, 118; middens on streets, 121; for not entering whalebone, 133; for not lighting bonfires, 133; French master paid from, 140; for not helping constables, 151; suspicion of plague, 176; offence to Leith bailies, 207; for not attending musters, 215; for outbreak of fire 223; for neglect to watch, 241.
- FINLAYSON (FYNLAWSOUN), CHRISTIAN, to enjoy right of burgess-ship, 27.
- , ISOBEL, to enjoy right of burgess-ship, 27.
- , KATHERINE, to enjoy right of burgess-ship, 27.
- , MICHAEL, merchant burgess and gildbrother, rights of, 27.
- , PATRICK, son of the above, 27.
- FINNIE (FYNNIE), JOHN, tailor, *council*, 132, 150.
- FIRE, li; prevention of, 61, 177, 224; merchant fined for, 223; in Canongate, 228, 234.
- FISHER, Mr JAMES, master of vulgar school, 53.
- FISHERY, Society of the, of Great Britain and Ireland, xxxiii.
- FISHING, xxxii, xxxiii; convention about, 51, 63, 77, 81, 90, 113, 158, 170; contributions to be asked, 77; commissioners appointed by Privy Council, 79; delegates from Estates about, 82; instructions anent, to

- burghs, 92; report, 105; preparations of English for, 123.
- FLAGS, Town, handed to treasurer, 53.
- FLANDERS, fever of, App. iii, 271.
- , West India Company of, 239.
- FLEMING, JOHN, of Carwood, bond by, 105.
- , JOHN, *baron bailie*, 167; *treasurer*, 209, 223; *council*, 244; *bailie*, 251; Kirk treasurer, 102; Correction House expenses allowed to, 111; committee, convention, 115; account, Correction House, 119; treasurer, Parliament House, 134, 156; valuer of rents, 161; borrows, 219; committee, Parliament, 222; receives legacy for professor, 224; to repair auditory in College, 230.
- , ROBERT, *council*, 114, 150, 209; *bailie*, 132, 196; to assess for "two of ten," 138; committee, liberties of France, 147; and extent of printer's widow, 167; brings letter for Assembly, 220; to Glasgow Assembly, App. xv, 323.
- , THOMAS, Esquire, lands of Broughton bought from, and wife, 5, 6, 12, 13, 16, 32; tack of teinds to, 41.
- , —, mason, *deacon*, 1, 14, 100.
- FLEMINOS, factor's declaration as to, 202; transportation to Lewis, App. i, 264. *See also* HOLLANDERS.
- FLESHERS, *deacon* of, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251.
- FLETCHER, Mr DAVID, minister, xli; second minister in parish, 160; stipend, 206; and dismissal of ministers, 207; and silver cups, 211; deprived by Assembly, App. xv, 321, 322, 324.
- FLOOD, grant to sufferers by, 87. *See also* LETHEN Moss.
- FLOOD, Sir ROBERT, debt to Heriot, 27.
- FLOWERS, JAMES, bonnetmaker, burgess, 31.
- FOOD, *see* VICTUAL.
- FORBES (PHORBAS), DAVID, to have Dutch school, 71.
- , Mr WILLIAM, xl, xlv, xly; transportation of, 8. *See also* BISHOP of EDINBURGH.
- FORESTALLERS, 91, 92.
- FORREST, HEW, mason, *deacon*, 132.
- FORRESTER, ALEXANDER, serjeant, orange colours, 127.
- , Mr DAVID, minister, father of regent, 227.
- , Mr DUNCAN, regent of philosophy, 227.
- , Sir GEORGE, of Corstorphine. Kt., tack of lands to, 41, 54.
- , JAMES, burgess, 166.
- , —, weaver, *deacon*, 196.
- FORRET, Mr JOHN, minister at Campvere, 50.
- FORTH, the Firth of, xix, xxvii.
- FORTIFICATION OF LEITH, *see* LEITH.
- FOULIS (FOULLES), GEORGE, master of the mint, wife's legacy, 144; tomb for, 178, 182.
- , GEORGE, younger, [goldsmith], of Ravens-ton, to move from shop, 119; build tomb for father, 178; presents silver cups, 211.
- FOWLER (FOULLER), LUDOVIC, elder, Leith Kirk Session, 69.
- FRAIS, Lord CHRISTIAN, Chancellor of Denmark, letter to, 222.
- FRANCE, x, xx, xxxi; recruits for, 34, 35, 53; privileges in, 59; customs of, 126; liberties of, 147; new imposition in, discharged, 153; ships for, 252.
- , King of, letter to, anent privileges, 59.
- FRANK, JOHN, wright, *deacon*, 14, 59, 81, 182, 196.
- FRENCHMAN, to teach music, 20; not to sell merchandise, 133.
- FUIRD, JAMES, tailor apprentice, leader of riot, 144.
- FULLERTON (FOULLERTOUN), JOHN, skinner, *council*, 97.
- FURRIERS, *deacon*, 1, 14, 35, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; election for vacancy, 117.
- GABBERTS, two, for ballasting, 186, 198, 200.
- GALLOWAY, App. i, 259.
- , Bishop of, excommunicated by Assembly, App. xv, 323. *See also* BRECHIN, Bishop of.
- , Mr JAMES, xxxi.
- , Mr PATRICK, App. i, 269.
- GARDIN (GAIRDIN), WILLIAM, inspector of poultry market, 92.
- GARGRESS, Mrs, debt to Heriot, 27.
- GAUGER-GENERAL depute of Scotland, appointment, 56; and salmon barrels, 61.
- GEDDES, CHARLES, order in Town Company, 2.
- , WILLIAM, *council*, 14; order in Town Company, 2; committee, military affairs, 36.
- GENERAL ASSEMBLY, xviii, xx, xlii, xlv; at Glasgow, 209, 210; proceedings, Town ministers, 212; committee of, 212; King's summons of, 220, 221, 222; commissioners to, 242, 249; approve call to minister, 245; App. xv, 321-4.
- GERMANY, xix, 143.
- GIBSON, Mr ALEXANDER, younger, of Durie, Clerk to the Session, burgess and gildbrother, 51; servant burgess, 193.
- , —, regent of humanity, 136; promised vacancy, regent of philosophy, 152; resigned, 183.
- , WALTER, tailor, *deacon*, 114.
- GILBERT, Mr THOMAS, brings warrant from Privy Council, 34; paid for service as preacher, 211.
- GILDBRETHREN, *see* BURGESS AND.
- GILD BOOK, 63, 73, 110, 128, 193, 253.
- , Dean of, *Byres*, 1; *McNacht*, 14, 35, 49; *Marjoribanks*, 59, 81, 97, 120; *Udward*, 114; *Dick*, 132; *Sinclair*, 150, 167, 196; *Cochrane*, 209, 223; *Blaikburne*, 244; *Tod*, 251; accounts, 12, 33, 40, 53, 79, 95, 132, 142, 182, 202; to repay burgess, 9; instructions for Hay, 10; commissioner, convention, 18, 114, 116, 158, 162, 175, 242; impertinence to, 22; received charge of mace, 23; to wear scarlet gown, 25, 40, 46, 49, 191; committee, Heriot's Hospital, 27; to admit burgesses and gildbrethren, 36, 51, 53, 54, 58, 59, 63, 71, 87, 109, 110, 120, 130, 141, 166, 167, 170, 184, 188, 193; and armoury, 38, 204, 205, 215, 216, 220, 235; to sign submission of teinds, 45; committee, King's visit, 46, 100, 247; to carry pall over King, 48; caution for, in lawbarrows, 49; to inspect Drumsheugh's house, 74; and repair of church, 79; committee, farthings, 95; committee, Broughton, 114; addition to burgess oath, 129; and reconstruction of St. Giles, 135,

- 141; on King's leet, 149; commissioner, stipends, 155; secret committee, 157; and extent rolls, 169; and Isle of May light, 170; committee, Leith, 176; committee, government of merchants, 185; to attend provost's funeral, 191; and removing of Council and Session, 197; report, Town writs, 209; commissioner, Assembly, 209; to have cannon made, 220; wife and legacy, 224; committee, requests to King and Parliament, 249; examination, lists of burgesses, 253; and bills of supply, 254; and Heriot's affairs, App. i, 262, 263; to sign submission, lb. 266.
- GILD BOOK, Old, to have scarlet gown, 46, 49; election of, 48; committee, farthings, 95; election, 120.
- , —, Council, impertinence to, 22; and admission of burgesses, 36, 51, 53, 58, 71, 141, 188.
- Courts, resignation of right to, 96.
- GILDREY, jurisdiction of, App. xii, 316.
- GILLESPIE (GILLASPIE), Mr GEORGE, minister, xlii; appointed to Wemyss, 199; called to Town, 251, 254.
- GILMERTON (GILMORTON), 142.
- GILMOURE, HEW, hammerman, sergeant, Town company, 2.
- GIRNELLING, xxxv, xxxvi; in Leith, decree anent, 86, 89, 93.
- GLASGOW, summoned to convention, 113, 116; information to, 123; minister from, 170; convention at, 175; university of, 209; Assembly at, xviii, xx, xlii, xlv, 209, App. xv, 321-4.
- , Bishop of, servant burgess, 174; signs Privy Council letter, App. iv, 279; excommunicated by Assembly, App. xv, 323.
- GLASS, JOHN, master of *Jonas* of Leith, bill of health, 168.
- GLASSFORD, JAMES, hands over protocol books, 139.
- , PATRICK, clerk of Leith, successor named, 129; resigns, 130; protocol books handed over, 139, 140.
- GLAZIERS (glassinwrights), petition, ratification of statutes, 123.
- GLEN, ROBERT, to receive legacy, 206; offence to Leith bailies, 207.
- GLOVES, regulations for sale of, 84, 85; merchant not to make, 130.
- GOGAR, Kirk of, 180.
- GOLD, for King's propine, 128.
- GOLDSMITHS, *deacon*, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; *council*, 114; shops of, 109, 119, 147, 178.
- GOOD TOWN, the, *see* EDINBURGH.
- GORDON, GEORGE, messenger, App. iv, 275.
- , Mr JAMES, Keeper of the Signet, burgess and gildbrother, 193.
- GORDONS, the, xix.
- GOWNS, presented by King, 22; scarlet, 25, 40, 46, 49, 191; Clerks', 47; to be worn at funeral, 191.
- GRAHAME, FRANCIS, gentleman, burgess and gildbrother, 73.
- , JAMES, brother of Lord Kilpont, burgess and gildbrother, 105.
- , Sir RICHARD, of Esk, burgess and gildbrother, 73.
- GRAHAME, RICHARD, in Brakenhill, burgess and gildbrother, 73.
- , JOHN, skinner, to move from shop, 119.
- , Captain WILLIAM, of Barloch, engaged by Council, 33; dismissed, 58.
- , WILLIAM, servant of Earl of Strathorne, burgess and gildbrother, 106.
- GRAY, JOHN, deacon, Leith Kirk Session, 68.
- , WILLIAM (later Sir WILLIAM), *council*, 35, 132, 209, 223; *treasurer*, 81, 97; *bailie*, 114, 196, 251; payment of loan, 86; payment of old treasurer, 95; payment of ministers, 110; and unfree traders, 112, 115; and bond, 121; commissioner to King, 128, 141; accounts, 132; commissioner, convention, 143, 230; and King's letter about companies, 144; expenses of, 145; committee, liberties of France, 147; answer to High Commissioner, 218; committee, affairs in Parliament, 222; App. xiii, 318-20.
- GRAYFRIARS, church of, Lord President to be buried in, 133; vacancy promised to minister, 163; provost to be buried in, 186; minister resigns, 191; legacy of bread to be distributed in, 234; of S.W. parish, 254.
- churchyard, xix, xxxix, xlii; oak coffins forbidden in, 155; addition to, 175; ground for tombs, 182, 244; general musters in, 215.
- GREAT KIRK, *see* ST. GILES.
- GREENLAND (GRUNLAND), whalebone from, 133.
- GREENSIDE (the GREYNSYD), teinds of, 117, 156.
- GREENWICH, manor of, King's letter, dated, 144, 163; letter of Town's envoys dated, App. xiii, 319.
- GRIDILENE (*gris de lin*), *see* COLOURS, Town's.
- GRIER, Major, payment to, 222.
- GRIERSON, ROBERT, factor at Campvere, summoned, 193, 202; declaration anent trading, 202.
- GRIEVE, GEORGE, customer, legacy to Hospital, 163.
- GRINSTON (GRUNSON), CHARLES, citizen of London, fined for trading, 222.
- GRUNDIE, JOHN, master of Paul's Work, prentices of, 18.
- GRYNTON, BARTHOLOMEW, stabler, recruit for France, 35, 53.
- GUELDERLAND (GILDERLAND), resident in Nimuegen in, 192.
- GUNPOWDER, xviii, xxx; bought, 13, 15, 44, 205, 213, 248; patent of, 45, 48, 52; ship with, seized, 222; to be given to soldiers, 237.
- GUSTAVUS ADOLPHUS, King of Sweden, xix.
- GUTHRIE, Mr ALEXANDER, Town Clerk, xii, loan to Town, 4; to court, 25, 46; commission, revocation, 38; gown for, 47; and King's letter to Seaforth, 48; to write to Campvere, 50; to Stirling library, 54; commissioner, teinds, 55; to Archbishop, 58, 88; to King, 123, 127, 141, 145, 174; borrows for King's visit, 128; and King's letter about companies, 144; commissioner, stipends, 155; secret committee, 157, 167; report, St. Giles, 169; to ask Dean to visit Durham, 174; brings King's letter, 179;



- committee, college, 183; absent on Town business, 190; servant of, 238; App. i, 257.
- GUTHRIE, BETHIA, husband made burgess, 110.
- , JAMES, skinner, *deacon*, 59, 182, 196, 244; *council*, 251; committee, Leith, 64; commissioner, Estates, 78, 82; commissioner, convention, 78, 82, 198, 204, 246; master of Hospital, 100, 114; and legacy, 102; and assignations to Hospital, 105; valuer of rents, 161; committee, government of merchants, 185; commissioner, synod, 246.
- GUTHRIE, JOHN, sometime clerk of Leith, protocol books, 139.
- HADDINGTON, summoned to convention, 22, 102, 113, 115, 116; resignation from, 216; irregularities in election of magistrates, App. i, 256.
- , THOMAS, Earl of, servants made burgesses and gildbrethren, 139, 205; signs Privy Council letter, App. iv, 279.
- HAGBUTS, report on number of, 204. *See also* ARMOUR.
- HAGIE, GEORGE, master of wrecked ship, 14.
- HALDANE, Captain ALEXANDER, Governor of the Castle, xx.
- HALL, Mr JOHN, minister at Dumbarrie, stipend, 157.
- HALIBURTON (HALYBURNETOUN), ANDREW, smith, *council*, 223.
- , JOHN, forbidden to make gloves and purses, 130.
- , ROBERT, valuer of rents, 161.
- HALLOWE'EN, marches to be ridden on, 15, 36, 50, 60, 82, 114.
- HALLS, new place for market in, 20.
- HALTOUN, Laird of, house called Black Turnpike, 253.
- HAMILTON, JAMES, first Marquis, debt to Heriot, 7, 16.
- , —, second Marquis (later Duke), xviii, xix, xxxvii; banquet to, burgess and gildbrother, 6; debt to Heriot, 16, 27; collector of taxation, 136; banquet to, 139; letter to, 141; taxation paid to, 151; King's commissioner, 205; servants, burgesses and gildbrethren, 58, 139, 205; arrival of, 217; letter to Council and answer, 217, 218; at Assembly, App. xv, 321, 322.
- , Lady Marquis of, request for prentice, 136.
- , Sir ANDREW, of Redhouse, burgess and gildbrother, 6.
- , CLAUDE, Master of Abercorn, burgess and gildbrother, 6.
- , —, of Mauchlinbole, burgess and gildbrother, 6.
- , Sir JAMES, of Priestfield, Kt., burgess and gildbrother, 6.
- , Sir JAMES, *see* CLANDEBOWIE, Viscount.
- , Sir JOHN, of Magdalen, Kt., Lord Clerk Register, burgess and gildbrother, 6; debt to Heriot, 16.
- , —, of Preston, burgess and gildbrother, 6.
- , ALEXANDER, on Leith Kirk Session, 68.
- , ARCHIBALD, debt of brother, 21.
- , CHARLES, *council*, 49, 196; *treasurer*, 167; *bailie*, 182; *baron bailie of Leith*, 114, 209; *water bailie*, 209; to borrow for Parliament House, 176, 183; to repay old treasurer, 181; to inspect armoury, 204.
- HAMILTON, GEORGE, summoned before Council, 3.
- , JAMES, of Quotquott, valuation of lands, 119.
- , —, vulgar schoolmaster, 17.
- , —, mason, *deacon*, 244, 251.
- , JOHN, of Broomhills, burgess and gildbrother, 6.
- , —, *council*, 97; legacy to Hospital, 116.
- , —, servant made burgess, 139.
- , —, special committee, troubles, 236.
- , MARK, valuation of lands, 119; macer, 139.
- , Mr PATRICK, Burghs' agent at court, viii, xxx, 7.
- , ROBERT, owner of lands of Kirkpottie, 74.
- HAMMERMAN, *deacon*, 1, 14, 35, 51, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; *council*, 14, 35, 51, 114, 196, 209, 223, 244, 251; to receive arms for crafts, 215.
- HAMPTON COURT, King's letter from, 15, 152.
- HANNA (HANNAY), Mr JAMES, minister at Holyroodhouse, later Dean of Edinburgh, xli; appointed Town minister, 157; to get plan of Durham choir, 174; stipend, 205; deprived by Assembly, 212, App. xv, 321, 322, 324.
- HANSCHAW, ANDREW, burgess and gildbrother, 205.
- HARDIE, JAMES, maltman, murder of, 34.
- , JOHN, candlemaker, appeal against craft, App. v, 281, 282.
- HARLAW, tack of teinds, 41.
- HARRIS, Mr, action against Heriot's estate, App. i, 257.
- HART (HAIRT), Mr, debt to Heriot, 27.
- , ANDREW, printer, widow excused extent, 167.
- , JOHN, printer, to print the Bible, 72.
- HASP AND STAPLE, signature for abolishing in-  
feftment by, 17.
- HATHOWIE, CUTLIBERT, burgess, 149.
- HAY, Mr FRANCIS, writer, payment to, 7; Hos-  
pital bonds assigned to, 105.
- , JAMES, in Kirkealdy, plundered by Flemish  
ship, 106.
- HAY, Mr JOHN (later Sir JOHN), ix-xiii, xvii, xxv, xxvii, xxx, xxxii, xxxv, xxxvii, xlii; produced King's letter, 6, 48, 64, 133, 145, 152, 193; to London on Heriot's affairs, 10; Town affairs at court, 13, 19, 21, 26, 42, 47, 48, 57, 58, 59, 60, 66, 70, 71, 72, 75, 77, 79, 86, 89, 90, 94, 97, 100, 104, 106, 122, 123; Dr Balcanquell's help to, 19; brings sword and gown, 22; payments to, 25, 71, 79, 113; submission sent by, 44; to make speech at King's entry, 47; gown for, 47; report of, fishing, 51, 105; commissioner, valuation of teinds, 56; letter from, to be answered, 61; convention on report of, 63; and Town's offers anent charter, 66; and act of High Commission for Leith Kirk Session, 68; letters from, Seaforth, 73, 77; to assist commissioners, Estates, 78; from Privy Council to King, 79; son made clerk depute, 142; provost, 194, 196; letters from court, App. i, 155-70; signs Privy Council letter, App. iv, 279.



- HAY, Mr WILLIAM, commissary clerk, loan to Town, 4; act of High Commission produced by, 68; acting common clerk, 126; depute clerk, 142, 174, 190.
- HEALTH, Bill of, to ships for Spain, 151, 168, 169; to ship for Leghorn, 196; to Dick's ship, 248.
- HEBREW, to be taught in college, 25.
- HEGGIE (HEYGIE), GEORGE, master of *Katherine* of Leith, bill of health to, 169.
- HEICH, GEORGE, deacon, Leith Kirk Session, 68.
- HEMPFIELD, Laird of, money due to Kirk treasurer, 206.
- HENDERSON (HENRYSOUN), Mr ALEXANDER, procurator-fiscal, 157.
- , —, minister of Leuchars, xxiii, xl, xli, xlii; chosen for Town, 203, 212; committee, High School, 227; rector, 230; books bought by, 246; parish of, 253; App. xv, 323.
- , ANDREW, sailor in Leith, convicted of riot, 21.
- , Mr EDWARD, commissary of Edinburgh, App. iv, 273.
- , JAMES, surgeon to poor, 22; deceased, 55.
- , —, tailor, servant imprisoned, 2.
- , Mr Joshua, procurator-fiscal, deceased, 118.
- , LAURENCE, xlviii; *council*, 209; committee, liberties of France, 147; valuer of house rents, 161.
- , NICOL, flesher, *deacon*, 37, 49, 132, 150.
- , Mr PATRICK, reader, burgess and gild-brother, 59; silencing of, 197; clerk to the sessions, 216.
- , Sir THOMAS, of Chesters, Kt., tomb for, 182.
- HEPBURNE, ADAM, skinner, apprentice of, 54.
- , —, Mr, bond of, for poor, 228.
- , Mr ALEXANDER, promised vacancy as regent of philosophy, 71; elected, 98.
- HERITABLE TITLES, abolition planned, xxvi; to be tried before ordinary judges, App. xiii, 319.
- HERIOT, ALEXANDER, *bailie*, 49; *council*, 59; owner of wrecked ship, 14; *bailie* in charge of courts, 49; extent collected by, 79.
- , Mr DAVID, debt to Heriot, 27.
- , FRANCHISCETA, niece of George Heriot, 27, App. i, 256, 261, 262. *See also* CERERAW.
- , GEORGE, jeweller, ix, xv, xvi, xlvii; business of legacy, 5, 7, 8, 9, 13, 15, 16, 19, 20, 21, 24, 25, 28, App. i, 258, 261, App. xiii, 319. *See also* HOSPITAL, HERIOT'S.
- , —, in Longniddry, debt to Heriot, 27.
- , —, shoemaker, debt to Heriot, 27.
- , JAMES, half-brother of the jeweller, legacy to, App. i, 262, 269.
- , THOMAS, half-brother of the jeweller, legacy to, 8, 32, App. i, 259.
- HERON (HERRONE), servant of Robert Johnston, 232.
- HERRING, DAVID, traveller in "Spruce," bore-brief to, 142.
- , JOHN, of Gilmerton, father of above, 142.
- HERRINGS, Red, export to Spain, 168.
- HEUCHFIELD, teinds of, 75.
- HIDES, restraint of, xxx, 17, 21.
- HIGH COMMISSION, Court of, act, Leith Session, 68, 69, 88; commissioners and, 204; King's discharge of, App. xv, 322.
- HIGHLANDS, the, xxi.
- HIGH RIGGS, part of, sold for Heriot's Hospital, 28, 29, 41, 160; part of, for burial-yard, 175.
- HIGH STREET, 109, 119, 253, 254.
- HILL, GEORGE, weaver, *deacon*, 1, 59, 81, 244, 251.
- HILSTON, JOHN, *council*, 114; treasurer, Parliament House, 156, 165.
- HIRD, Captain ALEXANDER, skipper, fined, 184.
- HODGE, Mr JOHN, doctor in High School, 31.
- HOG, JAMES, legacy to Hospital, 179.
- , JOHN, in Coats, multure master, 211.
- HOLLANDERS, permission to E. of Seaforth to bring, App. i, 264. *See also* FLEMINGS.
- HOLYROOD, Abbey of, xlvii, lands of, in Leith, 180.
- HOLYROODHOUSE, xvii, xxiv, xlv; act of Privy Council, dated at, 81; Duke of Lennox at, 193; minister at, xlii, 157.
- , Lord, teinds of, 117.
- HOME, GEORGE, glover, ensign-bearer, 54; burgess, 54.
- , JAMES, representing Leith Kirk Session, 68.
- HOPE, Sir JOHN, adviser, legacy, 226.
- , Mr THOMAS, of Craighall, advocate (later Sir Thomas, King's Advocate), assessor, 1; chambers in College given by, 5; adviser, legacy, 226; signs Privy Council letter, App. iv, 279.
- , Sir THOMAS, son of above, adviser, legacy, 226.
- HOPPER, WILLIAM, *bailie*, App. iv, 275.
- HOPPRINGLE, *see* PRINGLE.
- HORNING, charges of, against inhabitants of Edinburgh, 59.
- HOSPITAL, Heriot's, xlvii; legacy, 5, 7, 9, 25, 29, 31, 32, 33; lands to be bought for, 6, 13; payment for Hay's labours, 25; committee for, 27; site for, 28, 41, 160, 162, 175; statutes produced, 30; timber for, 30; council of, 35; teinds of lands belonging to, 120; loans from, to Town, 130, 151, 153, 211; share of repairs, St. Cuthberts, 146; drilling beside, 215; legacy for bursars from, 233; legacy for clothing, 233; legacy for master, 234; App. i, 256-9, 261, 262, 264, 265, 269.
- , Trinity, masters of, 15, 36, 50, 60, 99, 114, 151, 169; assessors for, 39; accounts, 41, 52, 72, 102, 143; lands bought for, 42, 52, 56, 74, 86, 91, 92, 95; legacies to, 52, 76, 102, 116, 118, 120, 131, 141, 144, 155, 162, 163, 164, 169, 171, 179, 184, 190, 192, 201, 224, 237, 240, 244; money borrowed from, 56, 73, 92, 95, 103, 120, 198; woman admitted to, 60; the Town's, support of, xliii, App. i, 265.
- , the new, in Leith (King James') legacy to, 225.
- HOUSES, rents, xliii, xlv; unlawful demolishing of, 43; casting out of filth, 121; old, near College, 140, 204; levy on rents of, 161, 175, 176, 181, 188, 191; rent of Chancellor's, 160, 203; for General Leslie, 246; proclamation, letting of, 247; for professor, 249.
- HOUSE OF MUIR, *see* MARKETS.
- HUMANITY, professor of, *see* COLLEGE.
- HUNTER, JOHN, tailor, in Town company, 2; *deacon*, 49, 59.
- , —, younger, tailor, to produce servants before council, 3.

- HUNTER, ROBERT, baker, *deacon*, 150, 167.  
 —, WILLIAM, tailor, recruit for France, 35.  
 HUNTLY (HUNTLE), GEORGE, tailor, *deacon*, 1.  
 HUTCHESON, JAMES, sent to Paul's Work, 18.  
 —, ROBERT, father of above, 18.  
 —, WILLIAM, skinner, *council*, 150.
- IMPOSTS, *see* MERK PER PACK AND MERK PER TUN.
- "INCIDENT," the, xxi, xxiv.
- INDIES, East and West, Stornoway to have licence to trade in, 254.
- INGLIS, JAMES, *council*, 1.  
 —, JOHN, *council*, 209; *bailie of Leith*, 81; collector of merk per pack, 181; loan for tax and Parliament House, 211; special committee, troubles, 236.  
 —, THOMAS, *council*, 167.  
 —, —, pewterer, *council*, 196.
- INGRAM (INGRUM), JOHN, burgess, 193.
- INNERPEPPER, Lord, request for burgess, 174.
- INVASION, force to be raised against, 237.
- INVERKEITHING, summoned to convention, 113; information to, 123.
- INVERLEITH, Laird of, land of, for Heriot's Hospital, 160, 162; a part, for burial yard, 175.
- INVERNESS, xxxii.
- IRELAND, debt by persons in, 72.
- IRISHMAN, practising surgery, 205.
- IRVINE (IRREWYN), xxx; information to, 123; convention at, 242.
- ISLES, Bishop of the, Lord of High Commission, 68.
- ITALY, App. i, 261.
- JACKSON, GEORGE, skinner, insubordination to craft, 131.
- JADGER, *see* GAUGER.
- JAILOR, new, 148; dismissed, 199.
- JAMES III, xxxiv; charter of sheriffship by, xxviii.  
 — IV, confirmation of Logan's charter, 93.  
 — V, seal of cause to wrights and masons, 124.  
 — VI, vii, viii, x, xv, xxi, xxv, xxxii, xlii; visit to Edinburgh, 6; gown presented by, 22; decree arbitral of, 153; patent to candle-makers, App. v, 282.
- JAMESON, GEORGE, painter, work at King's entry, 129; burgess and gildbrother, 130.  
 —, JOHN, sergeant in place of, 127.
- JEDBURGH, convention at, 77, 80; summoned to convention, 113.
- JEWELS, *see* HERIOT, GEORGE.
- JOHNSTON, Lord, adviser, legacy, 232; Moffat school to be built by, 234, 235.  
 —, DAVID, *baron and water bailie*, 13.  
 —, GILBERT, legacy to Hospital, 171.  
 —, ISAAC, elder, Leith Kirk session, 68.  
 —, JOHN, clerk to the commissaries, App. iv, 275.  
 —, —, writer, burgess and gildbrother, 71.  
 —, —, in London, debt to Heriot, 27; loan to Hay, 86; App. i, 257, 258.  
 —, Mr JOSEPH, loan to Town, 4; annual from Common Good, 31.  
 —, ROBERT, lands overflowed by Letham Moss, 62.  
 —, —, Esquire, xl; loan by, 13, 20; and Heriot's legacy, 26; executor to John Joussie, 52; legacy to Town, 232; legacy to College, 234, 235; legacy to imprisoned debtors, 239; arrangements for legacies, 251; discharge for parts of legacies, 253; App. i, 256.
- JONKEIN (JUNKIN), DAVID, *council*, 81; *bailie of Leith*, 132; presents boys to Paul's Work, 18; loan to Town, 76; committee, farthings, 95; committee, convention, 116; committee, decay of trade, 116; gifts to Paul's Work, 146; exports to Spain, 146; treasurer for new church, resigns, 187; accounts of church, 190; adviser, legacy, 226; special committee, troubles, 236.
- JOUSSY, JOHN, *council*, 244; loan by, 128, 198; executor of Robert Johnston, 233, 234, college treasurer, 251.  
 —, —, in London, legacy to Hospital, 52.
- JURISDICTIONS, Heritable, xxvi.
- JUSTICE AYRES, App. xii, 317.
- CLERK, Lord, servant made burgess and gildbrother, 205.
- , College of, *see* COLLEGE OF JUSTICE and SESSION, COURT OF.
- JUSTICES OF THE PEACE, xxv.
- JUSTICIARY GENERAL, xxv.
- KAINE ACRE in Kirkurde, teinds of, 119.
- KEADIE, GEORGE, post, recruit for France, 35; made burgess, 53.
- KEIR, LUDOVIC, Heriot's legacy to, 33.
- KEITH, Mr JAMES, burgess and gildbrother, 106.  
 —, Mr JAMES, assault by, xxvii.  
 —, JOHN, brother of the Earl Marischal, burgess and gildbrother, 105.
- KELLIE, Earl of, debt to Heriot, 27.  
 —, EDWARD, signature to, to be prevented, 100.  
 —, Mr WILLIAM, legacy to the Hospital, 102.
- KEMP (KEMPT), Mr JOHN, fined, 61.
- KENNEDY, HEW, skinner, to move from shop, 155.  
 —, [ ], App. i, 264.
- KENNOWIE, THOMAS, culture master, fugitive, 211.
- KENSINGTON, Lord, debt to Heriot, 27.
- KER, ANDREW, skinner, complaint against, 40.  
 —, GEORGE, in Town company, 2.  
 —, —, elder, tailor, *council*, 97; servant in riot, 144.  
 —, —, younger, tailor, deprived of burgess-ship, 2; to enter servant for trial, 3.  
 —, JOHN, surgeon, *council*, 81; *deacon*, 97; resigns care of poor, 21.  
 —, DAME MARGARET, Lady Yester, contribution for relief of Town, 244.  
 —, Sir ROBERT, debt to Heriot, 27; App. i, 259, 268.
- KILCONQUHAR (KYNNOCHER), minister at, to Town, xli, 39.
- KILGOUR, JOHN, burgess and gildbrother, 205.
- KILGRASTON (KILGIRSTOUN), teinds of lands, 75.
- KILLOCH, ISOBEL, not to sell merchandise, 151.
- , RICHARD, sailor in Leith, husband of above, 151.
- KILMONTU, teinds of, 74.
- KILPONT, Lord, and brother burgesses and gildbrother, 105.
- KILRENNY (KILRAINE), information to, 123.
- KING, the late, *see* JAMES VI.
- KING, the, *see* CHARLES I.; timber escheat to use of, 115.

- KING JAMES' COLLEGE, *see* COLLEGE.
- , ALEXANDER, protocol books of, 90; App. iv, 274, 275.
- , Mr JOHN, advocate, payment to widow for protocol books, 90.
- , MARGARET, to move from shop, 119.
- , Mr WILLIAM, regent in College, resigned, 98.
- KINGDOM, the, *see* SCOTLAND.
- KINGHORN, summoned to convention, 113, 115, 179; information to, 123; App. i, 256.
- , JOHN, Earl of, tutor of Earl of Errol, 250.
- KINNOULL, Earl of, signs Privy Council letter, App. iv, 279.
- KINTULLOCH, teinds of, 74.
- KIRK, Mr, debt to Heriot, 27.
- KIRK COUNCIL, election, 49; Hay's letter anent, 60; and payment of landward ministers, 154; act, payment of Town ministers, 180, 205.
- , RENTS, xvi, xlii, xliii, xlv; collector's accounts, 12, 37, 52, 133, 147, 234; new collector, 55; to collect feu duties, 86; Kirk treasurer charged with, 154; not to be set in tack, 180; surplus for Town ministers, 181; of Currie, 240.
- , SESSIONS, to elect elders and deacons, 17; treasurer to the four, 18; surgeon for poor presented to, 22, 55; of Leith, rules for, 68; ministers and, to meet about poor, 78; allow loan for Correction House, 108, 111; donation to, for poor, 166; debt to, 187, 198; elect commissioners to Assembly, 209; new clerk to, 216; legacy to, for poor, 237; composition and rules of, 254.
- , TREASURER, election, 52, 86, 102, 117; overspent poor's money, 73; loan by, for Correction House, 108, 110; money borrowed from, 153; to pay landward ministers, 154; to account for donation to poor, 166; to receive money borrowed for poor, 187; to pay minister at Wemyss, 190; borrowing for stipends, 191; to assign to treasurer money due for stipends, 206; to pay temporary preachers, 211; and ransom of Turk's prisoner, 213; accounts, 216, 234; to distribute legacy, 225; and money for catechists, 242.
- KIRKCALDY, convention accounts, 102; summoned to convention, 113, 115, 116, 179; information to, 123; ships from plague-stricken places at, 184; minister at, to Wemyss, 199.
- KIRKPOTTIE, teinds of, 74.
- KIRKURDE, xxviii, xxix; valuation of teinds, 119, 180; minister's stipend, 180, 240; new minister, 212, 252; minister guilty of manslaughter and deposed, 249, 252.
- , Nether, teinds of, 119.
- KIRKWOOD, GILBERT, of Pilrig, and repair of mill, 78.
- , —, goldsmith, action against magistrates, 49; *council*, 114; to move from shop, 119; commissioner, Parliament and convention, 121; commissioner, convention, 128.
- KIRKYARD, halls in, 20; house in, for minister, 82. *See also* CHURCHYARD.
- KNIBLO, JOHN, *council*, 59, 223; *bailie*, 209; master of Hospital, 100, 105, 114.
- LAING (LAYNG), ARCHIBALD, bellman in Leith, 50.
- LAMB, ADAM, goldsmith, *deacon*, 35, 49, 167, 182, 223; to move from shop, 155; valuer of house rents, 162; new shop, 178.
- , JOHN, goldsmith, widow of, to move from shop, 155.
- , Mr THOMAS, minister, xxviii, xxix; paid as temporary, 211; to Kirkurde, 212; manslaughter by, 249; deprived, 252; App. iv, 279, 280.
- LANARK, summoned to convention, 113.
- , WILLIAM, Earl of, servant burgess and gildbrother, 252.
- LANGHERMISTON, tack of teinds, 41, 86.
- LANGLANDS, Mr JOHN, doctor in High School, 201.
- LAUCHLAN, ROBERT, bonnetmaker, *deacon*, 132, 150, 196, 244, 251.
- LAUDER, ALEXANDER, provost, App. iv, 275.
- , JAMES, trial for murder forbidden, 34.
- , WILLIAM, servant to Earl of Lauderdale, burgess, 139.
- , BRIDGE, xxxiv.
- LAUDERDALE, JOHN, Earl of, servants made burgesses, 139, 148; signs Privy Council letter, App. iv, 279.
- , Countess of, request for burgess, 148.
- LAURISTON (LOURIESTON), PATRICK, sent to Paul's Work, 18.
- LAW, MUNGO, burgess, 139.
- LAWBORROWS, against magistrates, 49.
- LAWSON, ORERT, in Zuitland, to provide oak, 184.
- LAWTIE (LAWTYE), ADAM, writer, legacy to, by Heriot, 7.
- , Mr JAMES, debt to Heriot, 27.
- LAWYERS, Town's, to be consulted anent contract, 178.
- LEAD, for Parliament House, 190, 220, 224; for ammunition, 213; shipped from Denmark, 222.
- LEGACIES, silver bowl, 43; for professor of divinity, 62, 87, 102, 140, 224, by master of High School, 76; for Trinity Hospital, 52, 76, 102, 116, 118, 120, 131, 141, 144, 155, 162, 164, 169, 171, 179, 184, 190, 192, 201, 224, 237, 240, 244; for poor, 155; of mathematical books, 170; for new church, 170; for bursars, 171; by Sir Henry Wardlaw, 190; for Parliament House, 201; at Campvere, 206; for churches, 212; by David McCall, 225, 245; by Robert Johnston, 232-4, 253; lent for common cause, 237; for catechists, 238; for prisoners, 239; borrowed to buy communion cups, 243; for professor's house, 237, 249; arrangements, bursars and poor, 251.
- LEGHORN (LIGHORNE), bill of health to ship for, 196.
- LEIGHTON, Mr MATTHEW, minister at Campsie, resigns, 87.
- LEISHMAN, THOMAS, contract, Paul's Work, 252.
- LEITH, xv, xx, xxv, xxvi, xxvii, xxix, xxxiv-viii, xlvii, 1; ships for King's service from, 7; maltmen and ale sellers, 9, 42; skipper's disrespect to magistrates, 14, 21; riot in, 21; minister of, to college, 23, 58; bailie, affairs of, 35, 49, 59; training in arms, 36; fortification of, 37, 38, 39, 46, 216; complaint against bellman, 50; mason not to



- work in, 53; intrusion of Admiral, 55; commissioner to King, affairs of, 57, 60; insufficient barrels of salmon in, 61; committee, affairs of, at court, 64; Kirk Session of, 68, 69, 88; decree anent gimrelling, etc., 72, 86, 89, 93; petty customs of, 80; land for support of poor, 91; minister at, 110; postmaster at, 110; beggars of, to Correction House, 112; new clerk, 130; protocol books of, 139; statute, tailors of, 143; ship from to Spain, 146; Trinity House of, 175, 183, 225; storing in North, permitted, 177; lands in, divided between Town and Heriot's Hospital, 180; ballasting in, 181, 186, 198, 199; skipper at, from infected places, 184; brokers in, 124, 188; ship of, 196; dry dock at, 199; statute, weavers of, 208; sailor of, 213; boom across harbour, 216; in four companies, 220; ship of, seized in Denmark, 222; foreigner a cooper in, 222; legacy to new hospital in, 225; munitions for Castle from, 231; taxation of, for army, 238; bulwark to be repaired, 248; murder in, 249; fortification, App. i, 267, App. viii, 299-307; Edinburgh's decree against Leith, App. x, 311-4; sheriffs of, App. xii, 316; gimrelling in, App. xiv, 320-1.
- LEITH, bailies of, xxiv; elections, 13, 48, 59, 81, 114, 132, 167, 182, 196, 209, 243; to take order with bellman, 50; present at settlement of session, 68; to cause postmaster to be obeyed, 110; and ship from infected parts, 184; to mark brokers' books, 129; and ballasting, 201; offence to, 14, 21, 207; App. iv, 280.
- , —, court of, 42.
- , North, bailie of, 243.
- , water bailie of, xxvii, election, 13, 48, 59, 81, 114, 132, 167, 182, 196, 209, 243; officer of, attacked, 21; and Admiral, 55, App. vii, 294-9; committee, Leith affairs, 176; permission for landing, 176; and ballasting of ships, 200, 201.
- , water of, mills on, 67; feu of land near, 107.
- LEMPITLAW, teinds of, 179.
- , (Lymptelaw), Robert, skinner, *council*, 182.
- LENNOX, JAMES, Duke of, xxii, xxvi, xxvii, xxx; patent of Admiralty, 45; letter anent affairs of Church and Town, 141; Town's signature and rights of, 175; banquet to, 193; App. i, 268; App. vii, 294-9. *See also* ADMIRAL.
- , JAMES, factor at Campvere, accounts, 17; resignation of, App. iii, 271-3.
- LESLIE, General ALEXANDER, of Balgonie, xix, xxii, xxiv; burgess and gildbrother, 238; servants, burgesses and gildbrethren, 242, 244; house for, 246.
- , GEORGE, *council*, 97.
- , JAMES, messenger, App. iv, 280.
- , —, tailor, *deacon*, 16, 35, 150, 167; in Town company, 2; warden of Paul's Work, 24; committee, Heriot's Hospital, 27; committee, military affairs, 36; committee, King's visit, 46; commissioner, convention, 162.
- LESMICH in Poland, collection of debts in, 201.
- LESSELLS, ANDREW, imprisoned for riot, 2.
- LETHAM (LETHEME), Moss, overflowing of, 62, 85, 87.
- LEUCHARS (LUCHERS), church of, 202; minister at, xli, 212.
- LEWIS, the island of, schemes for, 77; royal burgh in, App. i, 254.
- LEYS, Sergeant, to be paid, 222.
- LIGHTOUN, *see* LEIGHTON.
- LIDDELL, JAMES, on Leith Kirk Session, 68, 69.
- LINDSAY, ANDREW, shoemaker, recruit for France, 35; burgess, 53.
- , Mr DAVID, Bishop of Edinburgh, xlv. *See also* EDINBURGH, BISHOPS OF.
- , Colonel JAMES, of Belstanes, xxiii, xxxvii; burgess and gildbrother, 219; paid and dismissed, 221; reappointed, 244; dismissed, 251.
- , Sir JEROME, Commissary of Edinburgh, Lyon King of Arms, Lord of High Commission, 68; elder, Leith Kirk Session, 69; burgess and gildbrother, 179.
- LINEN, export to Leghorn, 196.
- LINLITHGOW, xviii, xxx; summoned to convention, 22, 113, 115, 116, 179; valuation of teinds at, 55; convention accounts, 102; information to, 123; to attend coronation, 127; master of school at, 183; synod at, 247; convention at, 248.
- , Earl of, xxvii, xxx; patent of gunpowder, 45; as Admiral, 55; signature to, customs on coal and salt, 115; and Admiralty, App. i, 268, App. vii, 294-9.
- LITTLEFIELD, teinds of, 75.
- LITTLEJOHN, ANDREW, burgess and gildbrother, 205.
- , JOHN, burgess, 174.
- LIVINGSTON, valuation of teinds, 55; agreement anent, 171.
- , ALLAN, purchase of cannon by, 44; legacy to Hospital, 155.
- , JOHN, loan to treasurer, 162.
- , THOMAS, 162.
- LYMPETLAW, *see* LEMPITLAW.
- LOANS to Town, 4, 56, 64, 73, 76, 79, 92, 100, 117, 128, 129, 130, 153, 162, 178, 183, 198, 220, 219, 226.
- LOCH, JAMES, *council*, 59, 150; *treasurer*, 114, 132; Kirk *treasurer*, 86; and preparations for King's visit, 121, 127, 128, 157.
- LOCHFLAT, bought for Hospital, 6, 32.
- LOCHURDE, valuation of lands and teinds, 119, 180.
- LOCKHART, Sir JAMES, signature to, 158.
- , Mr JOHN, teacher of vulgar school, 185.
- LOCKY (LOKKE), NICHOLAS, master of ship of Dieppe, 58.
- LOGAN, ANDREW, elder, of Coatfield, lands bought from, 42; burgess and gildbrother, 56.
- , —, younger, of Coatfield, consent to sale of lands, 56.
- , GEORGE, in Leith, timber escheat from, 115.
- , Mr JAMES, in the Canongate, request for extra bailie, 219.
- , Sir ROBERT, of Restalrig, charter to Town,
- , ROBERT, lands bought from, 42; burgess and gildbrother, 56.
- LOGIE (LOOYE), JAMES, son of, 158.
- , Mr KENNETH, appointed librarian, xl, 158; instructions, 159; to receive books and inventory, 175; presents new catalogue, 235.



- LONDON, xxii, xxiii, xl; Hay to, 9, 13; gunpowder bought in, 15; legacy by citizen of, 43, 52; cannon bought in, 44; expenses of commissioners to, 46, 53; ship from, plundered, 106; bond payable in, 120; money borrowed in, 128; rescued prisoner in, 214; citizens of, fined for trading, 222; books bought in, 246; letters dated from, App. i, 256, 259. *See also* COURT.
- LONGNIDDRY, late George Heriot in, 27.
- LORNE, ARCHIBALD, Lord (later Earl and Marquis of Argyle, *q.v.*), burgess at request of, 110, 120, servant burgess, 174.
- LOTHIAN FIRTH, export of coal and salt from, 115.
- , West, and Town's claim to customs, etc., 64, 66, 67, 184.
- , sheriffdom of, to contribute towards fortifying of Leith, App. viii, 300.
- , ANDREW, burgess, 139.
- LOUDBON (LOWDOWN), WILLIAM, burgess and gildbrother, 6.
- LOUIS XI. OF FRANCE, xx.
- LOWIS, Mr RANDALL, citizen of London, fined for trading, 222.
- LOWRIE (LOWRYE), Mr ROGER, doctor in High School, 232.
- LOWRIESTOUN, *see* LAURISTON.
- LUCKENBOOTHs, parish boundary, 254.
- LUGTON, lands of, bought for Hospital, 6; in regality of Dalkeith, 95.
- LUIKUP, JOHN, skipper in Leith, on deputation to council, 175.
- LUMSDEN, Mr ROBERT, makes library catalogue, 183, 190.
- LUNDY (LONDYE), the laird of, burgess and gildbrother, 51.
- LURDENLAW, teinds of, 179.
- LYON, JAMES, elder, Leith Kirk Session, 69.
- MCCALL, DAVID, xl, xlviii; *treasurer*, 49, 59, 150; *bailie*, 132; *council*, 81, 167; in Town company, 2; donation to Paul's Work, 12; presents boys to Paul's Work, 18; *treasurer*, Kirk Sessions, 18; collects contribution of new burgesses, 52; receives silver cups, 53; to pay journey to Stirling, 54; to pay Hay's expenses, 79; accounts, 80, 95, 181; committee, Parliament House, 104; *treasurer*, Parliament House, 105; committee, convention, 116; to pay for plans of Parliament House, 119; to take down shops, 119, 155; to assess for "two of ten," 138; to buy house, 148; on King's lect for *treasurer*, 149; accounts, Parliament House, 156; legacy, 162; to pay for clothing of soldiers, 166; to repay extent of printer's widow, 167; allowed to store victual in North Leith, 177; repaid, 197; to borrow for site of church, 199; legacies by, 225; Town's debt to, 245.
- , MUNOO, *council*, 97; committee, King's visit, 46, 100.
- MCCALYEANE, Mr HENRY, App. iv, 274.
- MCCARTNEY, ALEXANDER, payment to, 7, 46, 80.
- , ANDREW, tailor, recruit for France, 35; burgess, 53.
- MACAULAY (MACALAY, MAKALAW), JAMES, goldsmith, to move from shop, 155; new shop, 178.
- McDUFF, Mr ALEXANDER, minister at Campvere; petition by widow, 17; letters as to death of, App. ii, 271, App. iii, 272, 273.
- McFARLANE, PATRICK GELD, burgess, 174.
- McGILL, Sir JAMES, of Cranston Riddell, loan by, 210.
- McKEAN, ROBERT, skinner, *council*, 244.
- McMATH, ISOBEL, heir to brother, 192.
- , JAMES, husband of above, 192.
- , —, of Nimuegen, estate of, 192.
- , JANET, mortification to Paul's Work, 186.
- , WILLIAM, *council*, 59.
- , —, son and procurator of Isobel, 193.
- McNACHT, JOHN, *council*, 1, 59, 82, 97, 114; *dean of gild*, 14, 35, 49; commissioner, convention, 27, 37, 44, 48, 52, 54, 93, 107; committee, military affairs, 36; commissioner, revocation, 38; payment to, 57; committee, Leith affairs, 64; accounts, 79; commission of tithes, 94; committee, King's visit, 100; old dean of gild, 120.
- MACE, the, delivered to dean of gild, 23; bearer of, 34; given up by late provost's sons, 191; for rector of college, 229.
- MAGER, 23; costume of, 48.
- MAGAZINE, the Town's, *see* ARMOURY.
- MAGISTRATES, x, xxviii, 1; company marching next, 2; skipper's disrespect to, 14; trained soldier to assist, 33; to enrol recruits for France, 34; and fortification of Leith, 37; dress at King's visit, 46; to punish for not sweeping chimneys, 61; and answer to Hay's letter, 61; to ratify resignation of charter, 65; contributions for Stornoway to be given to, 77; to give bond for loan, 92; committee, Parliament House, 104; to punish taking children from Paul's Work, 106; and Correction House, 108, 111, 172; to punish for middens on streets, 121; to enforce market rules, 125; committee, convention, 132; arrangements anent taxation, 135; King's choice of, 149, 152; and help to constables, 151; burials of, 164; to take offers for churches, 165, 166; and baking in high houses, 177; and ballasting, 186; and drilling of Town, 211; required to receive service book, 194, 195; inhabitants to attend at musters, 215; to assist in supplying Castle, 231; to force contributions for army, 238; to punish refusals to watch, 241; and synod, 247; and act anent plaids, 247; to judge unfree surgeons, 250; letter to, App. xiii, 318-20. *See also* BAILLIES.
- MAIDEN, ANDREW, burgess, 174.
- MAIR, JOHN, burgess, 193.
- MALT, brewed in Leith, 42, App. x, 312, 313; making of, App. xii, 317.
- MALTMEN, xxiv; not to work without permission, 9, 42; act of Parliament anent, 113; act anent, to be reformed, App. xii, 318.
- MANUFACTORIES, for support of poor, 10; act to encourage, desired, App. xii, 318.
- MAR, Earl of, Lord Treasurer, to be consulted as to Seaforth's business, App. i, 264.
- MARCHES, Town, to be ridden, 15, 36, 50, 60, 82, 98, 114, 189; postponed, 151, 182, 244; inspectors appointed, 162, 178.

- MARISCHAL, Earl, burgess and gildbrother, 105; brother and servants burgesses and gildbrethren, 105-6; signs Privy Council letter, App. iv, 279.
- MARJORIBANKS, JOSEPH, *dean of gild*, 59, 81, 97, 120; *council*, 114, 132; ship of, wrecked, 14, and Heriot's legacy, 28; committee, military affairs, 36; accounts, 95, 132, 142.
- MARKETS, bailie in charge of, 35, 49, 59; clerk of, 38; to be moved temporarily, 76; fore-stallers in, 92; sale of plaiding in, 113; unfreemen and Monday, 125.
- , Beir or Barley; new place for, 20.
- , flesh, conviction for making dearth in, 62.
- , Meal, to be extended, 247, 248.
- , Poultry, inspector of, 92.
- , Wool, statute anent, 92.
- , Cross, proclamation at, fugitive burgesses, 241.
- MARQUIS, the, *see* HAMILTON.
- MARTINMAS, grass of moor to be roup'd at, 100.
- MARY, QUEEN, ix, xxxvi.
- MASONS, *deacon*, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; election for vacancies, 99, 213; not to work in Leith, 53; ratification of statutes, 123.
- , master, xlviii; of Parliament House, 184; to build churches, 186.
- , (MASSOUN, MAISSOUN), ANTHONY, Englishman, burgess and gildbrother, 205.
- , ROBERT, legacy to Hospital, 224.
- MASTERTON (MAISTERTOUN), ARCHIBALD, skipper in Leith, fine of, 110; on deputation to council, 175.
- , ROBERT, *council*, 223; special committee, troubles, 236.
- MATCH (LUNT), to be bought, 213.
- MATHEMATICS, regent of, *see* COLLEGE.
- , books and instruments, 170.
- MATHESON, Colonel GEORGE, shipwreck of, 162; burgess and gildbrother, 163.
- , JOHN, lands of, 42.
- , WILLIAM, father of Col. George, 163.
- MATHIE, THOMAS, burgess, 193.
- MAUCHAN, THOMAS, bellman, 117.
- MAULE (MAULD, MAWLE), Mr HENRY, Keeper of the Signet, burgess and gildbrother, 252.
- , PATRICK, of Panmure, loan by, 100.
- MAWER, Mr PATRICK, clerk of Leith, 129, 130; protocol books given to, 139.
- MAXWELL, ALEXANDER, apprentice, 136.
- , JAMES, banquet to, 9.
- , Mr JOHN, minister, colleague to, 39; Lord of High Commission, 68; inspector, High School, 106; appointed bishop, 126.
- , JOHN, land bought from, 5, 6, 29.
- , —, house for General Leslie, 246.
- , RICHARD, saddler, *council*, 114, 244, 251; *deacon*, 132, 150, 209, 223; commissioner, convention, 151, 158, 214, 222, 245; commissioner, Parliament, 217, 245, 247; master, Hospital, 169; to borrow for kingdom, 214; to receive arms for crafts, 215; produces letter from nobles, 216; committee, affairs in Parliament, 222; committee, High School, 227; special committee, troubles, 236.
- , WILLIAM, of Kirkhouse, burgess and gildbrother, 9.
- MAY, Isle of, beacon on, proposed, xxxii, 88, 170, 179.
- MEARNS (MAIRNIS, MERNIS), Mr PATRICK (or ROBERT), minister, promised vacancy at Wemyss, 174; appointed, 178; manse repaired, 190; death of, 199.
- MEIKLEJOHN (MIKLEJOHNE), ROBERT, skinner, *council*, 81; *deacon*, 114, 132, 209, 223; in Town company, 2; committee, decay of trade, 116; complaint by, 131; commissioner, convention, 132, 137, 141, 242; committee, Parliament, 222; special committee, troubles, 236; commissioner, Assembly, 242.
- MELROSE, WILLIAM, land bought for church, 175.
- , Earl of, letter to, from court, App. i, 256.
- MENTEITH (MONTEITH), ALEXANDER, *council*, 49; commissioner, valuation of teinds, 55; master of Hospital, 60.
- MERCER (MERSER), WILLIAM, musician, burgess, 95.
- MERCHANDISE, Frenchman not to use, 133; Leith woman not to use, 151; new imposition on, in France, 153; export to Spain, 169; captain not to use, 182; clause in signature and nobles of Lothian, 185; factor at Campvere and Scottish, 202.
- MERCHANTS, organization of, xv, xxvi, xxxi; youths company, 23; goods taken by Dunkirkers, 104, 106; ship taken by Spain, 125; affairs of skippers and, 175-6; and book of rates, 181; committee, government of, 185; impost from, in Easter Seas, 186; tack of ballasting to, 199, 200; on committee, Assembly, 210; on committee, military discipline, 211.
- , ensign, company under, 2.
- , marks, on captured goods, 107.
- MERCHISTON, family of, monument of, 197.
- MERK PER PACK, new impost of, xvi, 181, App. xvii, 326-7.
- , PER TUN, new impost of, xvi, 180, 182, 186, 239, App. xvii, 326-7.
- MERTEIN, THOMAS, legacy by widow, 201.
- MIDDENS, li, 121, 247.
- MIDDILDRUM, lands of, bought, 6.
- MIDDLEBURGH, inhabitant of, cooper in Leith, 222.
- MILITARY Affairs, appointment to assist in, 33; committee on, 36.
- , discipline, committee on, 211; instructors, 220, 221.
- MILLER (MYLLER), SARA, wife of Thomas Fleming, lands bought from, 5, 6, 12, 13; tack of teinds to, 41.
- MILLS, Bonnington, tack of, 34, 37, 153; inhabitants of Leith to use, 42; repair of, 78; annual from, 251; contract, houses at, 252.
- , Common, jurisdiction in, 67; house and land on road to, 74, 76, 107; multure master, 211.
- MILNE (MYLNE), JOHN, mason, xlviii; *deacon*, 182, 196; master, to build churches, 186; to repair window in St. Giles, 191; estimate for work on new church, App. ix, 307-11.
- , JOHN, to move from shop, 155.
- MINISTERS, Burgh's, ix, xii, xv, xvi, xxiv, xxxix, xl-xlv; gratuities to, 4, 29, 45, 56, 78, 94, 110, 128, 147; lects for, 4; and Heriot's

- Hospital, 5, 6, 7, 13, 25, 27, 28, 31, 32; and election of regent, 15; stipends of, 15, 40, 42, 126, 148, 154, 155, 156, 161, 163, 175, 176, 181, 188, 191, 195, 223, 227, App. i, 255, 265; elect elders and deacons, 17; new, 39, 82, 137, 139, 157, 160, 162, 163, 170, 199, 203, 212, 214, 216, 242, 245, 251, 252; to attend reception of professor, 62; to meet about poor's collection, 78; place of, promised, 78; and collection for Palatinate, 89; and election of regent, 98; examiner in High School, 101; houses taken for Parliament House, 109, 141; house rents, 110; made bishop, 126, 191; preachers during vacancies among, 153; petition to King anent dispossessed, 197; and dismissal of regents, 207; to be present at disputation 209; and silver cups, 211; legacy for morning preaching by 225; to administer gift for relief of poor, 228; to be on college council, 229; present at intimating of legacies, 233; to help to choose masters of Moffat School, 233; money collected by, for catechists, 242; grant to former, 252; parishes of, 253, 254; Assembly and, App. xv, 321-4; Bishopric of Orkney for, App. xx, 338-41.
- MINISTERS, Landward, xxiv, xxix, xxx; at North Leith, 23, 58; at Wemyss, 63, 171, 174, 178, 199, 251; at Leith, 110; to intimate collection for famine, 145; stipends of, 154; at Dumbarrie, 157; at Cramond, 161, 212; at Colmonell, 178; at Sprouston, 179; at Corstorphine, 180; at Kirkurde, 180, 212, 252; at Monymaill, 212, at Anwoth, 214; at Moffat, 233; at Monybole, 253; to be paid from Kirk rents, 180.
- at Campvere, 7, 50, 65, 73, App. ii, 271, App. iii, 272.
- of Palatinate, collection for, 88, 94.
- MINT, Master of (the King's Master Coynier), *see* FOULIS, GEORGE.
- MITCHELL, Mr DAVID, minister, xli, stipend, 205; dismissal of, 207, App. xv, 321.
- , DAVID, *council*, 150.
- , JEAN, and Heriot's legacy, 28.
- , GEORGE, in riot, 144.
- , MATTHEW, deacon, Leith Kirk Session, 69.
- , ROBERT, legacy to, and wife, 28.
- MITCHELSON, ADAM, ship laden by, for Spain, 104, 105; procurator, captured ship, 125.
- , Mr DAVID, minister, to Town, 39, 42.
- , DAVID, treasurer, Parliament House, 169.
- MODERATOR, the, to preach, App. xv, 323. *See also* HENDERSON, Mr ALEXANDER.
- MOFFAT, school at, 233, 234.
- MOFFETT, Major THOMAS, clothing for soldiers of, 166.
- , THOMAS, and captured ship, 104.
- MONCREIFF, valuation of teinds, 74.
- , Sir JOHN, part owner of lands of Kilmonth, 74.
- , the Laird of, and teinds, 74, 75.
- , JOHN, burgess, 139.
- , MATTHEW, and teinds, 75.
- MONEY, xv; matter of, proposed by Privy Council, 82; export of, 164. *See also* COINAGE.
- MONOPOLIES, xxx, xxxi, xxxiv; no burgesses to seek, 129; act of convention anent, 146.
- MONRO, Mr ANDREW, keeper of College library, 245.
- , JOHN, father of above, 245. *See also* MUNRO.
- MONTEITH, Earl of, burgess and gildbrother and hanquet to, 51; request for burgesses, 73; servant burgess and gildbrother, 90; App. i, 265, 267, 270.
- , Mr ROBERT, "de Salmonnet," xxxix.
- MONTGOMERIE, Sir HEW, debt to Heriot, 27.
- MONTROSE, xxix, xxxi; convention at, 107, 129, 146; summoned to convention, 113, 116; information to, 123.
- , JAMES, Marquis of, xix, xx, xxi.
- MONYBOLE, minister at, burgess and gildbrother, 252.
- MONYMAILL, minister at, to Town, 212, 242, 252.
- MOODIE, *see* MUDIE.
- MORAY, the late JAMES, Earl of, tomb, 74.
- , JOHN, Bishop of, Lord of High Commission, 68.
- MORISON, Mr ALEXANDER, of Prestongrange, rector of college, 18.
- , JOHN, *council*, 196; to inspect armoury, 204.
- MORTIFICATION to Paul's Work, 186.
- MORTIMER, JOHN, burgess, 174.
- MORT KISTS, *see* COFFINS.
- MORTON, WILLIAM, Earl of, recruits to serve under, 35, 36, 53; tack of teinds disposed by, 70; and customs of Dalkeith, 95; letter to, 141.
- MOWBRAY, ANDREW, chaplainry founded by, 54.
- , JAMES, skinner, *deacon*, 14.
- MUDIE (MUDYE), JOHN, burgess and gildbrother, 242.
- , THOMAS, xlviii; *council*, 223; loan by, 197.
- MULTURE MASTER, 211.
- MUNRO, Colonel ROBERT, xix; presents book, 190; muskets to be given to, 216.
- Munro's Expedition*, presented to council, 190.
- MURDER, trials for, 34, 249.
- MURE, ALEXANDER, skinner, valuer of rents, 161.
- , GILBERT, committee, liberties of France, 147.
- , Mr ROBERT, to petition anent agency of Burghs, App. i, 264.
- , THOMAS, legacy for bursars, 171.
- , WILLIAM, treasurer for new church, 187; and ransom for Turk's prisoner, 213.
- MUREHEID, CLAUDE, merchant in Easter Seas, borebrief to, 14.
- , DAVID, in London, and Heriot's affairs, 19, 24; loan by, 128; gildbrother, 223; App. i, 257, 258.
- , JAMES, of Braidsheills, 14.
- , WILLIAM, in London, loan by, 128.
- MURRAY, Sir David, debt to Heriot, 27.
- , DAVID, *council*, 81; widow to move from shop, 155.
- , —, elder, fined for outbreak of fire, 223.
- , —, furrier, *deacon*, 35, 49, 97.
- , JAMES, elder, *council*, 35, 132, 251; *bailie*, 114, 244; *water and baron bailie*, 48; in Town company, 2; owner of wrecked ship, 14; committee, Parliament House, 104; money paid to, 162; committee, King's visit, 247.



- MURRAY, JAMES, younger, *council*, 196; special committee, troubles, 236.
- , —, King's master of work, tack of teinds to, 39; plans for Parliament House, 118.
- , Sir JOHN, of Ravirig, burgess and gildbrother, 63.
- , WALTER, of Livingston, and teinds, 171.
- , —, Overseer of His Majesty's Works, burgess, 110. *See also* MORAY.
- , WILLIAM, tack of teinds, 86.
- MUSGRAVE, RICHARD, Esquire, burgess and gildbrother, 73.
- MUSIC, Frenchman to teach, 20; school for, 85, 135; at King's reception, 129.
- MUSICIAN, to open school, 85, 135; burgess, 95; payment to, 129.
- MUSKETS, inspection and report on, 204; to be lent to crafts, 215; lent for drill, 215; to Col. Munro, 216; to be mended, 220.
- MUSTER MASTER GENERAL, patent to Lord Spynie, xxxi, 140, App. xiii, 319.
- MUSTERS, Town, 3; absence from, 107; in Greyfriars churchyard, 215.
- MUTILATION, testimonial anent, 228.
- NAIRNE, JAMES, *council*, 1; overseer, Paul's Work, 11; master, Paul's Work, 39; payment to, 39; timber to, for dye house, 74.
- , JOHN, *council*, 49; timber, for dye house, 74.
- , Mr ROBERT, preacher in vacancy, 153.
- NAPIER, ARCHIBALD, Lord, permission, monument in St. Giles, 197.
- , AGNES, delivers legacy, 206, 239.
- , ELIZABETH, daughter of Francis, 178.
- , FRANCIS, 178.
- , Mr WILLIAM, of Wrightshouses, payment to, 146.
- NASMYTH, JAMES, *council*, 132.
- NEILL, GEORGE, messenger, burgess, 165.
- NETHERBOW, boundary of parishes, 253, 254.
- NETHER URD, town of, 119.
- NEW, ROBERT, deacon, Leith Kirk Session, 68.
- NEWCASTLE, xxiii.
- NEWHALL, disposition dated, 107.
- NEWHAVEN, Town's jurisdiction in, 67; men suspected of plague at, 176, 184.
- , in France (Le Havre), ships bound for, 252.
- NEWMARKET, King's letter dated, 23; signature dated at, 185.
- NEWTON, Mr ARCHIBALD, doctor in High School, 65, 139.
- NICOLSON, Mr JAMES, and lands of Kilmonth, 74.
- , JAMES, caution in lawborrow, 49.
- , Sir JOHN, of Cockburnspath, xxviii.
- , Mr ROBERT, loan for Parliament House, 183.
- NIMMO (NEMOCK), WILLIAM, tailor, *council*, 1, 14; commissioner, convention, 1, 13, 18, 27.
- NIMUEGEN (NIMIKIN) in Guelderland, resident in, 192.
- NISBETT, ALEXANDER, mason, *deacon*, 150, 167, 209.
- , DAVID, baker, *deacon*, 182, 196; valuer of rents, 161.
- , JOHN, factor of Currie and collector of Kirk rents, accounts of, 13, 31, 37, 133; deceased, 55.
- , Sir WILLIAM, of the Dean, Kt., *council*, 97, 114, 132; and professor of divinity, 57; supposed exclusion from provostship, App. i, 267, 270.
- NOBILITY, etc., 216, 219; burgesses at request of, 249; submissions, App. i, 266.
- NORTH BERWICK, contribution for harbour, 116, 117; minister at, 191, 199.
- NORWAY, timber of, 182.
- NUNE, GEORGE, burgess and gildbrother, 106.
- NUREMBURG (NOREMBURGH), ministers of Palatinate in, 88.
- OATLANDS, Manor of, letter dated from, 194.
- OFFICERS, Town, dismissed, 5; new coats for, 249.
- OLIPHANT (OLYPHANT), Mr JOHN, advocate, burgess and gildbrother, 9.
- , LAURENCE, lands of, 75.
- , MARGARET, borebrief to son of, 14.
- ORANGE COLOURS, *see* COLOURS, Town.
- ORD, JAMES, postmaster in Leith, 110.
- ORDNANCE, *see* CANNON.
- ORGANIST, music by, at King's reception, 129.
- ORKNEY, famine in, lii, 145, 147.
- , Bishop of, story of famine by, 145.
- , Bishopric of, rents of, xxiv, xlv, App. xx, 338-41.
- ORMISTON, JOHN, hammerman, *council*, 49; *deacon*, 244, 251; valuer of rents, 161; committee, trade with England, 253.
- OSTEND, plunder by ship of, 106; ship taken to, 107.
- OVER BOW, boundary of parishes, 253, 254.
- PACOCK, *see* PEACOCK.
- PAIN, JAMES, burgess and gildbrother, 205.
- PAINTERS, ratification of statutes, 123; work at King's entry, 129; burgess and gildbrother, 130; and dial on college, 210.
- PALATINATE, collection for ministers of, lii, 88, 94.
- PALL, to be carried above King's head, 48.
- PAROILLIES, JAMES, furrier, *deacon*, 150, 167, 209, 223.
- , THOMAS, skinner, to move from shop, 119.
- PARISHES of Town, changes of ministers, 8, 9, 17, 56, 82, 126, 139, 146, 157, 160, 170, 199, 203; sessions of, and poor in Paul's Work, 12; church of S.W., 17; elder of S.E., Kirk treasurer, 86; elder of S.W., Kirk treasurer, 117; church of Grayfriars, 133; of S.E., to worship in High Tolbooth, 137; new church for S.E., 148, 174, 175; valuers of rents in, 161; new church for N.W., 181; Kirk sessions of, ask money for poor, 187; silver cups for S.E., 211; N.W., to use East Church, 243; boundaries, 253, 254.
- PARLIAMENT, x, xi, xv, xxiii, xxix, xxxiii, xlv, 1; proposed, 45; convention anent, 46; matter of Constable remitted to, 97; new accommodation for, 103, 109; act of, un-free traders, 112; convention anent, 126; taxation granted by, 137; act of Burghs anent, 146; taxation to be allotted, 154; petition to, house rents, 161; act of, export of money, 164; gift by, tax on house rents, 181; act of, magistrates, 194; committee, Town affairs in, 222, 249; barons and third estate in, 241; meeting of all burghs before, 243; prorogation of, 246; coming of King to, 247; and manslaughter case, 249.



- PARLIAMENT, commissioners to, 46, 121, 127, 217, 245, 247, 249. *See also* ESTATES.
- , the English, xxii, xxiii, xxiv.
- , HOUSE, xi, xiii, xxii, xxiv, xlii, xlv, xlvii; proposed, 103, 104; site for, 109; collection for, 110, 122, 128, 147, 148; treasurer for, 105, 134, 169; shops taken down for, 119; house near, to be bought, 148, 163; money to be advanced for, 165; borrowing for, 169, 176, 183, 187, 188, 190, 197, 203, 211, 215; accounts of, 156, 174, 189, 240; work to go on, 178; master mason of, 184; Danish oak for, 184; master wright for, 186; legacy for, 201; committee, money for, 202; armoury under, 206; lead for roof, 220, 224; finishing turnpikes of, 221; meeting in, 239; temporary church in, 254.
- , Yard or Close, company on watch to assemble in, 241.
- PASTORS, *see* MINISTERS.
- PATENTS, xxx, xxxi; answers anent, 45; commissioner to King anent, 47; to be prevented, 100; of pearl fishing, 105, 113; of muster master, 140; of tobacco, 150.
- , Letters, l.
- PATERSON, ALEXANDER, paid for writing burgess tickets, 128.
- , HECTOR, at Campvere, signs letter anent minister, App. ii, 271.
- , THOMAS, tack of teinds to, 41.
- , —, tailor, *council*, 59, 209; *deacon*, 81, 97, 182, 196, 244, 251; in Town company, 2; valuer of rents, 161; committee, government of merchants, 185; commissioner, service book, 197; warrantice to, 198; commissioner, service book and Covenant, 203; commissioner, Assembly, 209; carries answer to High Commissioner, 219; special committee, troubles, 236; presents new minister, 252; committee, trade with England, 253; letters from, at Assembly, App. xv, 321-4.
- , —, mason, *deacon*, 59, 81, 114, 213, 223; and craft statutes, 123.
- , —, gunner's mate, riot in Leith, 22.
- PAUL'S WORK, *see* ST. PAUL'S WORK.
- PAULITIOUS, JOHN, procuratory for collecting debts, 201.
- PEACOCK, THOMAS, shoemaker, *deacon*, 14, 35; to hold new election, 65.
- PEARLS, patent for fishing, xxx, xxxi, 113. *See also* BUCHAN.
- PEARSON (PEIRSOUN, PERSOUN), Mr ALEXANDER, advocate, extra assessor, 103; to judge unfree traders, 112; to assist commissioners at Assembly, 210.
- , ELIZABETH, presents husband's legacy, 43.
- , JOHN, *council*, 223; *bailie*, 251; *bailie of Leith*, 243; master of Hospital, 169.
- , Mr RICHARD, citizen draper of London, legacy by, 43.
- PEERLES, repair of bridges, 51; summoned to convention, 113; presbytery of, 252.
- , DAVID, at Campvere, signs letter about minister, App. ii, 271.
- PEIRIE, ALEXANDER, in Canongate, request for extra bailie, 219.
- PENAL STATUTES, petition for discharge of, 21, 59; to be discussed, 23; to be enforced unless churches are built, 164, 165; report anent, 169; general pardon, App. xiii, 316, App. xvi, 324-5.
- PENNY BRIDALS, statute restricting, li, 171.
- PENNYCUIK, ALEXANDER, surgeon to General Leslie, burgess, 244.
- PERTH, convention at, 44, 46, 95; sheriffdom of, 74; summoned to convention, 113, 116; information to, 123; at coronation, 127; complaints about, 206: App. i, 266.
- , Five Articles of, dispensed with, xviii, App. xv, 322.
- , JOHN, Earl of, right to ministers' houses, 141.
- PESTILENCE, *see* PLAGUE.
- PEWS, to be put in churches, 227, 228, 243.
- PHILOSOPHY, regent of, *see* COLLEGE.
- PHILP, JAMES, factor, and commission of teinds, 61, 75; paid for writing signature, 77.
- PHORRAS, PHORBUS, *see* FORBES.
- PIKES, report on number of, 204; issued for training, 215; to be mended, 220.
- PILMURE, tack of teinds, 41.
- PITCAITHLIE, teinds of, 75.
- PITTENWEEM (PETTINVEYME), repair of harbour, 7; summoned to convention, 113; information to, 123.
- PLAGUE, li; from Campvere, suspected, 176; skipper fined for landing suspect case, 176; danger of, 177; skipper from infected places, 184; ship free of, 196, 249.
- PLAIDS, proclamations against, li, 47, 91, 122, 196, 247.
- PLAIDING, marketing of, 113.
- PLEASANCE, xlvii, to belong to Town, 180, App. xviii, 329.
- PLUMBER, 87, 220.
- PLUMDAMEIS, Leith woman not to sell, 151.
- PLYMOUTH, King's journey to, App. i, 265.
- PODYE, JOHN, burgess, 139.
- POLAND, collection of debts in, 202.
- POOK (POOG), JOHN, shoemaker, *deacon*, 223, 244.
- POOR, xlix, l, li; Correction House for, 10; surgeon for, 21, 22, 55, 62, 94, 158; contribution for, 73, 79, 166; of Leith, land for 91, 176; legacies for, 155, 162, 225, 228, 232, 233, 234, 237, 251, 253; increase of, 187.
- PORBEK, Lord, debt to Heriot, 27.
- PORT, Cowgate, closed for fear of plague, 177; boundary, parishes, 253.
- , Netherbow, boundary, parishes, 253.
- , Potterrow, boundary, parishes, 253.
- , Society, moor between, and Borough loch, 117, 156; Town wall near, 175.
- , West, speech to King to be made at, 47; boundary, parishes, 253, 254.
- PORTEOUS, ALEXANDER, son to Paul's Work, 18.
- , JAMES, apprentice at Paul's Work, 18.
- PORTERFIELD, DAVID, at Campvere, signs letter anent minister, App. ii, 271.
- PORTSMOUTH, King's journey to, App. i, 265.
- POSTMASTER, in Leith, 110; gift of office of, xxxi, 120; appointment of three, 151.
- POTTIE, *see* DUMBARNY.
- POWELL, Mr, payment to Hay, 26.
- POWIS, lands of, feu-duties of, 86, 87.
- PREACHING, morning, 3; weekly, 137; tem-

- porary, 211; legacy for, 225, 226.
- PRESBYTERIANISM, establishing of, in England, xxiii.
- PRESBYTERY of Edinburgh, 212, 252.
- , of Peebles, 252.
- PRESIDENT, Lord, Sir JAMES SKENE, burial of, 133; Sir Robert Spottiswoode of New Abbey, request for burgess, 165.
- PRESTON, ELIZABETH, legacy to Hospital, 224.
- , JOHN, advocate, Commissary of Edinburgh, App. iv, 273, 274.
- , Mr JOHN, 36.
- , KATHERINE, gives sister's legacy to Hospital, 224.
- , MARGARET, legacy to Hospital, 116.
- , Sir MICHAEL, son of Mr John, burgess and gildbrother, 36.
- , ROBERT, of Craigmillar, loan by, 76, 95.
- PRESTONPANS, unfree trader in, 102; school-master at, 245.
- PRIMROSE (PRYMROIS), ARCHIBALD, debt to Heriot, App. i, 258.
- , Mr GILBERT, clerk to the Privy Council, burgess and gildbrother, 51.
- , JAMES, debt to Heriot, 27.
- PRINCE, birth of, 76, 77, 133.
- PRINGLE (PRINGILL), DAVID, surgeon, *council*, 182; for poor, 158.
- , JOHN, surgeon, *deacon*, 14, 167, 182, 223; commissioner, convention, 182; committee, college, 183; special committee, troubles, 236; deceased, 239.
- , ROBERT, of Stitchell, burgess and gildbrother, 73.
- PRINTER, and Bible, 72; made burgess, 109.
- PRISON (WARD, WARDHOUSE), rioters in Leith sent to, 20, 21; merchant, to, 22; skipper to, 62; merchant to, for keeping mastiff, 106; rioters in, 144, 147; journeyman shoemakers, 189; keeper of, not satisfactory, 199; Irishman practising surgery, 205; for offence to Leith bailies, 207; persons not giving for army, 238; legacy for poor in, 190, 239.
- PRIVY COUNCIL, *see* COUNCIL.
- PROCURATOR-FISCAL, new, 118, 157.
- PROCLAMATIONS, new beir market, 20; recruits for France, 34; riding of marches, 36, 50, 60, 98, 114; weaponshowing, 36; plaids, 47, 91, 247; bellmen, 50; beggars, 88; yarn, 100; children of Paul's Work, 106; Correction House, 108; bonfires, 133; coffins, 155; penny bridals, 171; baking in high houses, 177; ballast, 186; supplying of Castle, 231; desertion of Town, 241; house letting and middens, 247.
- PROTECTOR, the Lord, xxiv, *see also* CROMWELL.
- PROTOCOL BOOKS, delivered to Council, 90, 139; payment for, 140.
- PROVOSTS, Lord, ix, xvi, xvii, xxvii, xxviii, xxix; elections, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 209, 223, 244, 251; King's letter to, 4; and new chambers in college, 5; and Heriot's Hospital, 5, 6, 27, 28, 30; and banquets, 6, 9; instructions for Hay, 10; surgeon resigns post before, 21; sword and gown presented to, 22; to wear scarlet gown, 25, 46, 49; to sign submission, 45; and King's letter about visit, 45, 46; caution for, in lawborrows, 49; to admit burgesses, 51; servant burgess, 56; and professor of divinity, 57; summoned by Constable, 58; to ratify resignation of charter, 66; and Earl of Seaforth, 73; committee, Estates, 75; committee, King's visit, 100; and King's letter as to election, 113; committee, convention and Broughton, 114; and Earl of Linlithgow's signature, 115; committee, parliament and convention, 121; with bailies to set tax for stipends, 126; grants authority for King's propine, 128; King's leet for, 149; signs letter to Sir John Seton, 153; commissioner, stipends, 155; secret committee, 158, 167; and contribution for new churches, 166; servant burgess, 166; report, St. Giles, 169; with bailies to choose envoy, 170; committee, Broughton, 178; and transporting of minister, 183; committee, government of merchants, 185; burial place for, 185; order borrowing, 189; burial of, 191; and service book, 195; and removal of Council and Session, 197; committee, Assembly, 210; lends money for Kingdom, 214; letter to, from nobles, 216; letter from King's commissioner, 217; to give coppers in Society, 220; agreement with Col. Blair, 220; to sign letter to King, 231; and master of Moffat school, 233, 234; produced King's letters, 235; to sign answer to, 237; letter to, from Lord Ettrick, 238; letter from Committee of Estates, 243; to give security for loan, 243; to send messenger to commissioners, 246; committee, King and Parliament, 249; and unfree surgeons, 250; attendance at Kirk sessions, 254; App. i, 266, 267, 270; App. iv, 280.
- PROVOSTS, Old, and red gown, 40, 46, 49; election, 48; committee, farthings, 95.
- PUMPS, Keeper of, appointed, 87.
- PURDIE, RICHARD, legacy by, 206, 239.
- PURSES, merchant not to make, 130.
- PURVES, ANDREW, *council*, 1.
- , WILLIAM, *deacon*, Leith Kirk Session.
- QUARRY on the moor, 99.
- QUARTERS of the Town, order of marching, 2; collection to be taken by, 128; valuers in, 161. *See also* PARISHES.
- QUEEN, the, birth of son to, 133.
- QUEHELPSYDE, *see* WHELPSIDE.
- QUHYTELAW, *see* WHITELAW.
- QUHYTT, *see* WHITE.
- RAE, *see* RHE.
- , ARTHUR, writer, legacy to Hospital, 131 wife's legacy, 244.
- , JAMES, *treasurer*, 14, 35; *council*, 49; loan by, 13, 57; receives bond, 16; to settle Heriot's Hospital accounts, 32; accounts, 40; and silver cups, 53.
- , —, younger, *council*, 196.
- , Mr JOHN, master of High School, 31; deceased, 70; legacy to Hospital, 76; widow's legacy to Hospital, 164.
- , JOHN, water bailie officer, 21.

- RAE, JOHN, Englishman, burgess and gildbrother, 205.
- RAITH, Mr JAMES, of Edmiston, lands bought from, 42, 74, 86, 92, 95; son of, 141.
- , JAMES, son of above, burgess, 141.
- , Mr JOHN, donation for college, 171.
- , JOHN, son sent to Paul's Work, 18.
- , ROBERT, to Paul's Work, 18.
- RAMSAY, Lord, servant burgess and gildbrother, 63.
- , ALEXANDER, legacy paid to, 32.
- , Mr ANDREW, minister, xli, xlii; committee, Heriot's Hospital, 27; stipend, 205; and dismissal of regents, 207; committee, High School, 227; parish of, 254.
- , Mr CORNELIUS, presents brother's legacy, 184.
- , DAVID, gentleman of the King's Privy Chamber, burgess and gildbrother, 63; burgess at request of, 63; legacy to Hospital, 184.
- , GEORGE, post, burgess, 87.
- , HEW, tenant of part of Dumbarny, 75.
- , Colonel Sir JAMES, sergeant-major of, 143.
- , Captain WILLIAM, master of *Lyon* of Leith, bill of health to, 248.
- RANKIN, Mr ROBERT, regent in college, dismissed, 207, 208; successor to, 210.
- RANYE, STEPHEN, recruit for France, 35.
- RATES, Book of, convention anent, 181.
- RATTRAY, WALTER, burgess, 165.
- READER, appointed, 17, 190; burgess and gildbrother, 59; house of, 109, 110; clerk to sessions, 216.
- REALM, the, arming of, 8. *See also* SCOTLAND.
- REFORMATION, the, xvi.
- REGRATING, of wool fined, 80, 93.
- REID, ALEXANDER, goldsmith, *deacon*, 1, 14, 59, 81; assessor, convention, 1; committee, Heriot's Hospital, 27; committee, Leith affairs, 64; commissioner, Estates and convention, 95; committee, farthings, 95.
- , ANDREW, stabler, burgess, 9; son of, 143.
- , Mr JAMES, regent of philosophy, dismissed, xxix, 15, 30, 31.
- , JOHN, son of John, sent to Paul's Work, 18.
- , WALTER, son of Andrew, vulgar school master, 143.
- , WILLIAM, *baillie*, 1, 59, 132, 244; *council*, 14, 82, 150, 251; and collection from new burgesses, 52; in charge of markets, 59; commissioner, convention, 94, 245; to assess for "two of ten," 138; witness to borebrief, 142; to new bishop, 142; committee, liberties of France, 147; to buy house, 148; *baillie* of Leith and water *baillie*, 196; commissioner, Parliament, 245.
- RESTALRIG, lands bought, 42, 91; elders and deacons for, 69; parson of, 179.
- REULL, *see* RULE.
- REVOCATION, the Commission of, 24, 38, 179; act of, xlii.
- RHE, Isle of, expedition to, x, 35, App. i, 267.
- RICHARDSON, DAVID, *council*, 1, 35; *baillie*, 14; water and baron *baillie*, 114; factor, exports to Spain, 146.
- , MATTHEW, in Musbrae, Cumberland, burgess and gildbrother, 73.
- , WILLIAM, mason, not to work in Leith, 53.
- RIG, CHRISTIAN, legacy to Hospital, 164.
- RIG, JAMES, surgeon, *deacon*, 132, 150, 251.
- , WILLIAM, gift of chambers in college, xl, 4.
- RIOTS, in Leith, 1, 21, 22; men admit, 43. *See also* TUMULTS.
- RIPON, Treaty of, xxiii.
- RITCHIE, ANDREW, musician, school, 135.
- , JOHN, master mason of Parliament House, burgess, 184.
- ROBERTSON (ROBESON), ANDREW, debt to Heriot, 27.
- , DANIEL, waulker, *deacon*, 97, 114, 196, 209.
- , DAVID, elder, Leith Kirk Session, 69; on deputation to Council, 175.
- , ROBERT, in the Canongate, 219; *bailie*, 243.
- ROBINS (ROBEINS), Mr, Englishman, and water works, li, 61.
- ROCHEID (RUCHEID), JAMES, *council*, 167, 209, 244; *treasurer*, 182, 195, 196; *baillie*, 223; collector of merk per tun, 181; to pay journey and Chancellor's house rent, 203; to borrow for stipends, 206; committee, Parliament, 222; and land for Parliament House, 224; accounts, 240; water and baron *baillie*, 251.
- ROCHESTER, Dean of, *see* BALCANQUELL, Dr. WALTER.
- ROLLOCK, DAVID, of Powis, grant to, for loss by floods, 85, 87.
- , Mr HENRY, minister, xli, xlii, appointed, 39; stipend and house rent, 40, 205; transferred, 56; and dismissal of regents, 207; parish of, 253.
- , JEAN, widow of Patrick Finlayson, daughters to enjoy liberty, 27.
- RONALD (RONNARD), JOHN, committee, trade with England, 253.
- ROSLIN, the laird of, Lord of High Commission, 68.
- ROSS, bishop of, appointment, 126; excommunicated by Assembly, App. xv, 323.
- , Mr GILBERT, minister at Colmonell, burgess and gildbrother, 178.
- , JOHN, *deacon*, Leith Kirk Session, 69.
- ROTHES, Earl of, App. vii, 295.
- ROXBURGH, Earl of, xxxiv; debt to Heriot, 16, App. i, 269; contract, Broughton, 178, 181, App. xviii, 328-34; signs Privy Council letter, App. iv, 279.
- RULE (REULL), JOHN, vulgar school master, 74.
- RUTHERFORD, Mr SAMUEL, minister, xlii, called to Town church, 214.
- RUTHVEN, General Sir PATRICK, Lord Ettrick, *see* ETTRICK.
- RYND, JOHN, *council*, 14, 97, 182; *baillie*, 81, 167; warden, Paul's Work, 66; committee, King's visit, 100; committee, Parliament House, 104; substitute for, 175; allowed to store in North Leith, 177; and affairs of Trinity House, 183.
- SACRES, *see* CANNON.
- SACRISTAN LANDS, tack of teinds, 41, 54.
- SADDLER, *see* HAMMERMEN.
- SAINT ANDREWS, xxviii, xli, xlii; summoned to convention, 22, 113, 115, 116; convention at, 122, 128, 132, 146; information to, 123; university of, 209; regent from, 210; Assembly at, 249; request for minister, App. xv, 323.



- SAINT ANDREWS, Archbishop of, commissioners to, 15; letter to, anent minister, 39; and professor of divinity, 58; and Kirk Session of Leith, 68, 88; seal of cause by former, 124; letter of, App. i, 255; excommunicated, App. xv, 323.
- ANTHONY, lands of, to be incorporated with Town, App. viii, 300.
- CUTHBERT'S KIRK, xxiv, payments to, 146.
- GILES, xi, xiii, xiv, xv, xvi, xlii, xlv, xlvii, xlviii; chaplainry in, 54; repair for King's entry, 79; restoration as one church, 103, 109, 133, 147, 154, 155, 164, 165, 166, 168, 169, 174, 191; burial of Bishop in, 142; minister in, 163; Napier monument, 198; for General Assembly, 221; churches of, allocated to parishes, 253, 254; App. xvii, 326.
- —, Great or Mid Kirk, xx, xlii; reader of, 59, 109; collection for poor in, 73; demolition of, 133, 134, 136, 137, 181; weekly preaching in, 137; gunpowder stored above, 205; minister of, 212; new wall in, 212, 213; King's seat to be moved from, 221; repairs, 248; for S.E. parish, 253.
- —, Little, East Kirk or Choir, xx, xlii, collection for poor in, 74; wall to be taken down, 136, 137; to be one church with Great Kirk, 213; for General Assembly, 221, 237; for N.W. parish, pews to be let, 243; repairs, 248; for N. parish, 253.
- —, New Kirk, lofts in, to be taken down, 141. *See above*, Little Kirk.
- —, west part, xlii. *See also* HIGH TOLBOOTH.
- —, Dean of, *see* HANNA, Mr JAMES.
- JAMES, palace of, King's letter dated at, App. vii, 299.
- JELL, *see* SAINT GILES.
- LAURENCE'S ALTAR, 54.
- LEONARD'S, part of, to belong to Town, 180; App. xviii, 329, 330.
- MARY of Dieppe, ship, 57.
- NICOLAS, App. viii, 302.
- NINIAN'S ALTAR, chaplainry of, 54.
- PAUL'S WORK, xlix, 1; houses for Correction House, 10; donations to, 12; boys presented to, 18; prentices, 18; contribution to, by new burgesses, 18, 39, 52; wardens, 24; masters, 39; committee, 52; wardens and inspectors of cloth in, 66; dyeing house in, 74; regulations, work in, 84; proclamation, enticing children from, 106; overseers to use interest on gift for, 146; regulations for Correction House, 172; mortification for, 186; loan by treasurer, 198; legacy for, 225; contract, 252. *See also* CORRECTION HOUSE.
- ROQUE'S CHAPEL, teinds of moor near, 117, 156.
- SEBASTIAN, ship bound for, 105; captured ship taken to, 125.
- SALÉE (SALIE), prisoner of Turks at, 213.
- SALMON, barrelling of, 61.
- SALT, xxxi, export and import of, 94, 169, 170; signature of, to Earl of Linlithgow, 115; measure of, 182.
- SANDS, Mr PATRICK, freedom to daughters' husbands, 167.
- , SARA and ISOBEL, granted freedom for husbands, 167.
- SAUCHTONHALL, 224.
- SAVAGE (SAVADGE). JOHN, Irishman, practising surgery, 205.
- SAYIS, piece of, exported to Spain, 146.
- SCARBOROUGH (SCAIRCUBURGH), ship plundered near, 106.
- SCHOOL, DUTCH, xlix, 71.
- of Fencing, 80.
- , FRENCH, xlix; master chosen, 140; pay of, 162, 245; permission to teach English and writing, 223.
- , High or Grammar, xlviii, xlix; new doctor, 31, 65, 71, 116, 139, 141, 201, 232; committee, 52; new master, 70; instructions to, 70; legacy by late master, 76; inspections, 101, 106; committee, shortening of course, 227; legacy, bursars to college, from, 232; master elected professor, 245; new master, 245.
- , Music, permission for, xlix, 85, 135.
- , Song, to be removed, 145, 147, 169, 221.
- , Vulgar, xlix; masters, 17, 53, 74, 143, 185, 190; committee, 158.
- at Moffat, 233, 234.
- SCLYRIO, JACQUES, Frenchman, not to sell merchandise, 33.
- SCOTLAND, xviii, xx, xxiii, xxiv, xxxiii; King's proposed visit, 45; gauger-general depute of, 55; and fishing, 92; making of salt in, 94; borrowing by nobility, etc., of, 214, 223; King's letter, *postnati* of, 235; tax for army of, 238; King's coming to, 247; App. i, 262.
- SCOTT, ANDREW, surgeon, *deacon*, 35, 49; committee, military affairs, 36; committee, King's visit, 46; commissioner, convention, 54, 56, 58.
- , GEORGE, Heriot's legacy to, 32, 33.
- , HEW, burgess and gildbrother, 9.
- , Sir JOHN, Director of Chancery, signature to, 17.
- , JOHN, of Drumsheugh, house of, 74; feu to, 76, 106.
- , —, master wright, appointed by Town, 186.
- , —, goldsmith, *deacon*, 196, 209; captain, Town company, 2; to move from shop, 155; to inspect armoury, 204.
- , LAURENCE, younger, sergeant, Town company, 127; legacy for churches, 212.
- , Dr. WILLIAM, land for new church, 175, 199.
- , Mr WILLIAM, Clerk of Session presents father's legacy, 212.
- SCRIMOEUR, HEW, burgess and gildbrother, 174.
- SEAFORTH (SEYFORT, SYFERT), Earl of, xxxii, xxxiii; and Stornoway, 45, 47, 48, 52, 66, 73, 77, 113, App. i, 263, 264, 267, 269; servant made burgess, 165.
- SEAL, Common, on testimonial, 15; on certification as to Town Companies, 144.
- of Cause, on borebrief, 14, 142, 149; on certification to wrights and masons, 125; on testimonial, 125; on bill of health, 196.
- SECRET COUNCIL, *see* COUNCIL, PRIVY.



- SECRETARY, My Lord, *see* ALEXANDER, Sir WILLIAM.
- SEDAN, professor of divinity from, xli, 78.
- SELKIRK, summoned to convention, 113; contributions for, 126.
- SEMPILL, JOHN, writer to the Signet, clerk to the Constable's court, App. iv, 280.
- SERVANT maids, legacy for dowries to, 234.
- SERVICE BOOK, ix, xvi, xvii, xviii, xli, li; magistrates invited to use, 194; petition against, 197; commission for answers anent, 203; discharged, App. xv, 322.
- SESSION, Court of, xi, xii, xvii, xxvi, xxviii, xxxv, xlv; and election of regent, 71, 136; change of diets, 89, 90; letters to, 100; Town assessors employed before, 103; accommodation in new building, 103, 109, 122; and ministers' stipends, 126, 161, 175, 176, 191; money due to, 137, 169; burials of, 164; price of land for new church set by, 175, 200; proclamation for removal of, 197; App. i, 255; App. xii, 317.
- , Clerk of, legacy delivered by, 212.
- SETON (SEYTOUN), Sir JOHN, xxxi, postmaster-ship, 120; letter to, help in France, 153.
- SHANKS, WILLIAM, broker in Leith, 189.
- SHARP (SCHARPE), Mr JOHN, sometime professor in Sedan, xxxix, xli; promised post as minister or professor, 78, 79; house rent, 118; gratuity to, 158, 175.
- SHAW, PETER, deacon, Leith Kirk Session, 69.
- SHEARER (SCHEIRAR), CHARLES, of Dort, legacy for professor of divinity, 87.
- , JOHN, liferent of legacy, 87.
- SHEILL (SCHEILL), THOMAS, burgess, 139.
- SHEIN, GEORGE, burgess and gildbrother, 238.
- SHERIFFSHIP, Town's, xxv, xxxvii, 65, 66, 96, App. xii, 316.
- SHETLAND, collection for famine in, 147.
- SHIPMAN (SHIPMAN), Captain, King's command to assist, 231.
- SHIPS, of Leith wrecked, 14; to bring timber, 30; *St. Mary* of Dieppe, 58; *Mercurius* of Middeburg, 62; taken by Dunkirkers, 104; bill of health, *Margaret* of Queensferry, 104; plunder by ship of Ostend or Dunkirk, 106; *Charity* of Leith taken by Dunkirkers, 107; *George* of Queensferry taken by Spain, 125; *Blessing* of Leith, bound for Spain, 146, 151; *George* of Leith wrecked, 162; *Jonas* of Leith bound for Spain, 168; *Katherine* of Leith bound for Spain, 169; suspect of plague, 176, 184; with Norway timber, 182; impost on lading, 186; regulations, ballast, 186; brokers and, 189; *John* of Leith bound for Leghorn, 196; ballast master and, 198; *George* of Leith wrongfully seized, 222; captures of, by King's ship, 243; bill of health to *Lyon* of Leith, 248; captured on way to France, 252.
- , King's, ix, money desired for, 3, 4, 7; convention anent providing, 13; prisoner of Turks released by, 213; the *Rainbow*, xix, xxxviii, 217; captures by, 243; convoy by, 252; the *Unicorn* damaged, App. vii, 294, 295.
- SHOEMAKERS, l, li; *deacon*, l, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; election for vacancy, 65, 67; journeymen's unlawful meetings, 189.
- SHORS, Parliament House on site of, 109; to be taken down, 119; removal from St. Giles, 145, 147, 155, 168, 169; new, to be set, 178.
- SHOVELS (SCHOOLLES), bought in Leith, 40.
- SIGNATURES, anent infeftment by hasp and staple, 17; gunpowder, 48; Town's, 77, 79, 128, 184, 185; to Kellie, 100; coal and salt, 115; Sir James Lockhart's, 158; Town's, App. i, 267; Seaforth's, App. i, 267, 268, 269; Admiralty, App. i, 268; merk per pack and per tun, App. xvii, 326-7.
- SIGNET, Keeper of the, 252.
- SIMPSON, ALEXANDER, burgess and gildbrother, 238.
- , ANDREW, *baillie*, 81; *council*, 97; committee, King's visit, 100.
- , JAMES, *baillie* of the Canongate, asks for extra *baillie*, 219.
- , Mr RICHARD, minister at Sprouston, stipend, 179.
- , WILLIAM, kirk treasurer, and ransom for prisoner, 213.
- SINCLAIR, ANDREW, organist, music at King's reception, 129.
- , GEORGE, wright, *deacon*, 35, 49.
- , JAMES, of Quendall, and payment to Hospital, 120.
- , —, of Scalloway, and payment to Hospital, 120.
- , JOHN (later Sir JOHN), *baillie*, 49, 113; *council*, 59, 132, 209; *dean* of gild, 150, 167, 182, 196; tack of mills, 37; *baillie*, council affairs, 49; commissioner, convention, 56, 58, 63, 77, 117, 121, 28, 132, 151, 158, 162, 167, 169, 170, 179, 181, 182, 188, 198; committee, Leith affairs, 64; extent collected by, 79; committee, Parliament House, 104; committee, convention, 116; committee, decay of trade, 116; commissioner, Parliament, 121; to collect money due by Burghs, 128; out of town, 132; on King's lect, 149; secret committee, 157, 167; to repay old dean of gild, 182; on lect for provost, 194; accounts, 202; committee, military discipline, 211; committee, Parliament, 222; committee, trade with England, 253.
- , —, burgess and gildbrother, 105.
- , LAURENCE, of House, bonds assigned to Hospital, 105, 120.
- SKELDYE, Mr ARCHIBALD, the blind preacher, xli, 137.
- SKENE, Mr JOHN, clerk to the bills, loan to treasurer, 162, 198.
- , JOHN, burgess and gildbrother, 106.
- SKEYNE, Sir JAMES, of Cuttiehill, President of the College of Justice, tack of teinds, 86; burial in church, 133; house of, bought, xxxix, 249.
- SKINNERS, *deacon*, l, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; *council*, 35, 81, 97, 132, 150, 182, 223, 244; encroachment on liberties of, 40; decree arbitral, 83; shops of, 109, 119; merchant not to use craft of, 130; insubordination of, 131.
- SKINS, sale of, 84; drying of, 224.

- SKIRLING, presentation to church of, 245.  
 —, Lady, decree against, 81.  
 —, ROBERT, flesher, *deacon*, 14, 59, 81, 167, 251.
- SLATERS (SCLAITTERS), petition, statutes, 123.  
 SLATER, WILLIAM, weaver, *deacon*, 132, 150.
- SLAUGHTER, *see* MURDER.
- SLOWAN, *see* ASLOWAN.
- SMAILHOLM (SMAILLUM), GEORGE, on Leith Kirk Session, 68, 69.
- SMITH, *see* HAMMERMEN.
- , GEORGE, master of Hospital, 15.  
 —, JAMES, *deacon*, Leith Kirk Session, 69.
- , JOHN (later Sir JOHN), *council*, 14, 114, 196, 209, 223, 251; *bailie*, 97, 182, 244; in Town company, 2, 127; loan partly repaid, 100; and chancellor's house rent, 163; committee, college, 183; and Trinity House, 183; legacies received by, 190; commissioner, service book, 197, 203; warrant to, troubles, 198; payment to, 203; commissioner, Covenant, 203; commissioner, convention, 214, 222; to borrow for kingdom, 214; and letter from nobility, 216; commissioner, Parliament, 217; committee, Parliament, 222; commissioner to King, 230; special committee, troubles, 236.
- SOAP, monopoly of, xxxi.
- SOCIETY, the, tack to William Dick, 19, 38; pipes in, 87; close leading to, 177; old coppers in, xix, 220.
- MUIR, roup of grass of, 100, 152. *See also* BOROUGHMUIR.
- SOLDIERS, for Isle of Rhé, 35, 53; clothing for, 166; armour for, 237; gunpowder for, 237. *See also* ARMY.
- SOMER (SOMMER), ALEXANDER, bonnetmaker, *deacon*, 35, 49, 97, 114.
- SOMERVILLE, ALEXANDER, executor of Bartholomew, 237.
- , Mr BARTHOLOMEW (BARTILMO), portioner of Saughtonhall, legacy for professor of divinity, 224, 237, 243, 249.
- , GILBERT, tailor, *council*, 196; *deacon*, 209, 223; sergeant, Town company, 2.
- , THOMAS, furrier, *deacon*, 244, 251.
- SOUTH LOCH, *see* BOROUGH LOCH.
- SOUTHESK, DAVID, Earl of, servant made burgess, 139; signs Privy Council letter, App. iv, 279.
- SOUTRA, valuation of teinds, 55.
- SPAIN, ship of, captures Scots ship, 125; exports to, 146, 151, 168, 169.
- SPANG, JOHN, surgeon, *deacon*, 114.
- , Mr WILLIAM, minister, sent to Campvere, 65, 73.
- SPARK, DAVID, tailor, imprisoned for riot, 2.
- SPEIR, ALEXANDER, *council*, 1, 49, 167; *bailie*, 35, 150; warden of Paul's Work, 24; bailie of markets, 35; warden and inspector, Paul's Work, 68; on King'sleet, 149; commissioner, stipends, 155; and new librarian, 175.
- , THOMAS, in Town company, 2; loan by, 20, 100; house demolished, 43.
- SPENCE, Mr WILLIAM, master of High School, 245.
- SPENS, JOHN, master of the Hospital, 36, 50.
- , THOMAS, baker, *deacon*, 14, 35.
- SPICE and wine, to new burgess and gildbrother, 58.
- SPICERY, Leith woman not to sell, 151.
- SPEROUSTON, stipend of minister at, 179.
- SPRUCE, traveller in, 142; merchant in, 149.
- SPYNIE, ALEXANDER, Lord, patent of muster master, xxxi, 140. *See also* MUSTER MASTER.
- SQUIRE (SQUIER), JAMES, tailor, recruit for France, 35; burgess, 53.
- STABLERS in Leith, and postmaster, 110; and hostlers, App. xii, 317.
- STALKER, JAMES, goldsmith, to move from shop, 155.
- STANEYDAHL, lands of, bought, 42, 92.
- STANSFIELD, WILLIAM, of Wakefield, master of Correction House, 1, 110-1, 119, 172, 173.
- STATUTES, chimneys, 61; forestallers, 91; wool market, 91; middens, 121, 247; plaids, 122, 196; tailors of Leith, 143; deacons to be working craftsmen, 153; coffins, 155; college terms, 163; penny bridals, 171; baking in houses, 177; brokers in Leith, 188; weavers of Leith, 208; drying of skins, 224; fugitive burgesses, 241.
- STEILL, ROBERT, baker, *deacon*, 244, 251.
- STENHOPE (STENNOP), THOMAS, baker, *deacon*, 49, 59, 114, 132.
- STENT ROLLS, *see* EXTENT.
- STEVENSON, Mr ANDREW, regent of philosophy, resignation, 227.
- , GAVIN, baker, servant in riot, 144.
- STEVIN, ADAM, baker, *deacon*, 209, 223.
- STEWART COURTS, unnecessary, App. xii, 317.
- STEWART, JAMES, *council*, 251; committee, trade with England, 253.
- , Mr LOUIS, assessor, 1.
- , ROBERT, macer, costume, 48.
- , Mr WILLIAM, delivers old mace, 23.
- STIRLING, xviii, xxx; summoned to convention, 22, 102, 113, 115, 116; library at, 54; bridge of, 115; information to, 123; at coronation, 127; convention at, 202, 206.
- , JAMES, tack of teinds, 41.
- , PATRICK, bonnetmaker, *deacon*, 81.
- , ROBERT, flesher, *deacon*, 1, 182.
- , Sir WILLIAM ALEXANDER, Viscount, letter to, Town affairs, 141; application to, elections, 150; letter to, 151. *See also* ALEXANDER.
- STIRLINGSHERE, damage by flood in, 85.
- STORNOWAY, xxxii, xxxiii; patent for plantation of burgh, 45, 47, 48, 51, 63, 66, 77, 81. *See also* SEAFORTH, Earl of, and LEWIS.
- STOUPS, silver, 53.
- STRATHERNE, Earl of, servants burgesses and gildbrethren, 106.
- STREETS, to be kept clear of middens, 121, 247.
- STRUTHERS, Mr WILLIAM, minister, committee, Heriot's Hospital, 27; lord of High Commission, 68; inspector, High School, 106; deceased, xlii, 139.
- SUBMISSION anent teinds, agreement to, 44, App. i, 263, 264, 265, 266, 269, 270.
- SUITTIE, GEORGE, *treasurer*, 1; *council*, 14, 49, 150, 182, 196, 244; *bailie*, 35, 167, 223; accounts, Heriot's affairs, 7, 32; purchase of gunpowder, 13; warden, Paul's Work, 24, 66; accounts, 33; bailie, council affairs, 35; committee, Parliament House,

- 104; ship taken by Dunkirkers, 101; committee, convention, 116; committee, decay of trade, 116; commissioner, stipends, 155; secret committee, 168; report as to St. Giles, 169; and choir of Durham, 174; committee, college, 183; committee, government of merchants, 185; loan for Parliament House, 198; to pay Colonel Blair, 222; money in hands of, for common cause, 237; commissioner, Parliament and convention, 247; to pay for gunpowder, 248; committee, trade with England, 253.
- SUNNY ACRE, valuation of teinds, 119.
- SURGEONS, li; *deacon*, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; *council*, 49, 81, 167, 182; to poor, 21, 22, 55, 63, 94, 158; extraordinary, to King, 165; complaint against Irishman, 295; election for vacancy, 239; unfreemen not to practice as, 250.
- SWORD, ix, presented by King, 22; bearer, 25; to be carried on Sunday, 25; costume of bearer, 48; given up, 191.
- SYDSERF, ARCHIBALD, *council*, 209; presents legacy, 43; paid for bringing letter, 77; prentice of, 136; testimonial as executor, 143.
- , Mr JOHN, writer to the Signet, testimonial as executor, 143.
- , PATRICK, sergeant-major to Colonel Sir James Ramsay, executors of, 143.
- , Mr THOMAS, minister, xlii; committee, Heriot's Hospital, 27; colleague to, 39; lord of High Commission, 68; new parish, 139; dinner to, 140; bishop of Brechin, 146, 157; App. xiii, 319.
- SYM, ALEXANDER, advocate, Commissary of Edinburgh, App. iv, 273.
- , GAVIN, painter, burgess, 120.
- SYMEON, ROBERT, Englishman, fined, 133.
- SYMMIE ROLLOK'S CHAPEL, *see* St. ROQUE.
- SYNOD at Linlithgow, 246, 247.
- , Provincial, xli.
- TABLECLOTH (carpet eloth), for Lords of Session, 155.
- "TABLES," the, xviii.
- TAILLIEFER, *see* TELFER.
- TAILORS, 1; *deacon*, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; *council*, 97, 132, 150, 167, 196, 209, 251; in Leith, xxxiv, 143.
- TAIT, JOHN, burgess and gildbrother, 238.
- TANNING, patent for, xxx. *See also* HIDES.
- TALLOW, price set, 14, 35, 49, 60, 82, 98, 114, 133, 151.
- TAVERNS, to be closed, 76.
- TAXATION, viii, ix, xii, xiii, xv, xxi, xxii, xliii, xlv, xlv, xlv; for ships, 4; bailies to collect, 4; discharge for, 7; second term of, 14; third term of, 39; last term of, 49; new agreed to, 81; first term, 87; second term, 95; third term, 113; composition for extraordinary, 128, 135; borrowing for, 135; arrangements anent, 136; "two of ten;" composition for, 137, 138, 151; to be allocated among burghs, 154; rolls for, 169; borrowing for, 210, 211; for loan for Kingdom, 223; for forces in Town, 238; assigned to pay loan, 238. *See also* EXTENTS.
- TAY, pearl fishing in, xxx, xxxi.
- TAYLOR (TAILYEOUR), GEORGE, agent, presents Munro's book, 190.
- TEINDS, x, xxx, xlii; of Currie, 13; of burghs, 23; tacks of, 39, 40, 41, 54, 56, 70, 86; agreement to submission, 44, 45; commissions for valuation, 55, 56, 57, 61, 74, 94, 119, 120; payment to Lord Holyroodhouse, 117; of parts of moor, 156; ratification, Wemyss, 164, 171; of Lurdonlaw and Lempitlaw, 179; of Kirkurde and Lochurde, 180. *See also* SUBMISSION.
- TELFER, ALEXANDER, ensign-bearer, fined, 107.
- TENNENT, JOHN, imprisoned for riot, 2.
- TERRY, WILLIAM, executor of George Heriot, 20, 26, App. i, 257, 258.
- TESTIMONIAL, to merchants, 14; anent purchase of gunpowder, 15; anent captured ships, 104, 106, 125; to executors, 143; exports, 146; shipwreck, 162; to heir, 192; of procuratory, 201; of injury by fire, 228. *See also* BOREBRIEF.
- TEVIOTDALE, Sheriff of, burgess and gildbrother, 63.
- THEOBALDS, manor of, letter dated from, 149.
- THOMAS, Sir ANTHONY, debt to Heriot, 27.
- THOMSON, Mr ALEXANDER, minister, xli, xlii, on leet, 4; appointed, 9; and election of regent, 98; stipend, 156, 205; promised vacancy, 163; deposed, 212, App. xv, 321, 322, 324.
- , ARCHIBALD, skinner, ensign-bearer, 2.
- , DAVID, postmaster, 151.
- , —, in Prestonpans, unlawful trading, 102.
- , —, goldsmith, to move from shop, 155.
- , GEORGE, elder, Leith Kirk Session, 69.
- , JAMES, burgess, 77.
- , OLIVER, goldsmith, sergeant, Town company, 2.
- , Sir THOMAS, of Duddingston, servant burgess, 182.
- THREE RIGGS, lands of, bought for Hospital, 6.
- TILLIEDAFF, STEPHEN, musician, school of, xlix, 85; music at King's reception, 129.
- TIMBER, for Heriot's Hospital, 30; for dye house, 74; escheat, 115; Norway, 182; for churches, 184; agreement for Danish, 184; for Parliament House, 190.
- TITHES, *see* TEINDS.
- TITTOF (TUTOPE), JOHN, murder of, 249, 250, App. iv, 279, 280.
- , ARTHUR, sledder in Leith, father of above, App. iv, 279, 280.
- TOBACCO, patent of, 150.
- TOD, ARCHIBALD, *council*, 1, 14, 59, 167, 182, 196; *bailie*, 49, 150; *dean of gild*, 251; assessor, convention, 1; committee, Heriot's Hospital, 27; committee, King's visit, 46; bailie for markets, 49; water bailie and quarrel with Admiral, xxvii, 55; commissioner, valuation of teinds, 56; committee, Leith affairs, 63; extent collected by, 79; on King's leet, 149; commissioner, stipends, 155; secret committee, 157, 167; report, St. Giles, 169; committee, government of merchants, 185; to inspect armoury, 204; committee, trade with England, 253.



- TOD, JOHN, skinner, *deacon*, 1; *council*, 35.
- TOLBOOTH, the, 1; two men imprisoned in, 2; Parliament House to be west of new, 109; beggars to laich, 112; "pagin" to be erected at new, 119; shops near, to be taken down, 119; imprisonment in, 144, 147; new jailor, 148; shops to be built at, 178; shoemakers imprisoned in, 189; legacy to poor prisoners in, 190, 239; prisoner in, liberated by King, 249, 250; Lamb imprisoned in, App. iv, 280.
- , High, parish to worship in, 137.
- TOUCH, JOHN, burgess, 139.
- TOURES, ALEXANDER, broker in Leith, 189.
- , GEORGE, bailie, App. iv, 275.
- TOWN, the, *see* EDINBURGH.
- TRADE and Trading, xxiii, xxiv, xxxi; unfreeman fined for, 55; petition anent Scots, in France, 59; rights of, in West Lothian, 64; escheats of unfreemen, 112, 115; apparent decay of, 116; act of burghs anent partners, 146; King's letter anent, 179; companies in, 180; burghs' charters of, 246; with England, 253. *See also* MERCHANTS.
- TRAFFICKING, *see above* TRADING.
- TRAILL, ROBERT, and petty customs of Leith, 80.
- TRAQUAIR, Earl of, escheat timber to be delivered to, 115; App. xii, 319.
- TREASURER, TOWN, xix, xlvii: 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; borrows for tax, 4; and Heriot's affairs, 7, 26, 29, 30, 31, 32, 33; banquet, 9; and instructions for Hay, 10; and gunpowder, 13; scarlet gown for, 25, 40, 46, 49, 191; charged with bond and shovels, 40; and submission, 45; committee, King's visit, 46, 100, 247; to carry pall over King, 48; caution for, in law-borrows, 49; and admission of burgesses, 51; receipt of silver cups, 53; and loan by Hospital, 56, 73; merchant to pay, 58; and professor of divinity, 62; and Hay's expenses, 71; to give timber for dye house, 74; to inspect Drumsheugh's house, 74; to borrow for purchase of lands, 74, 76; to borrow for Hay, 79, 86, 98; and petty customs of Leith, 80; to repay bailies, 91; to borrow for affairs, 92, 100, 117, 128, 153, 156, 176, 178, 183, 187, 190, 191, 198, 206, 210, 211, 219, 221, 226, 237, 238, 243; and collections for Parliament House and ministers' rents, 110; to repay fine, 110; to escheat goods, 112, 115; committee, convention and Broughton, 114; to contribute for harbour, 116; and bailies' accounts, 127; to pay drummers at King's visit, 127; and alterations, St. Giles, 137; and dinner for Bishop, 140; to buy houses for college, 140; on King's lect, 149, commissioner, stipends, 155; and shops at St. Giles, 155; and table cloth for session, 155; and dinner for Dean, 157; and Burghs' payments, 174; committee, Leith, 176; to set new shops, 178; to demolish Great church, 181; and payment of ministers, 181; to get timber for churches, 184; committee, government of merchants, 185; to employ master wright, 186; to be relieved of debt contracted for Town, 195; and removal of Council and Session, 197; and ballasting, 200; to build wall at College, 204; to buy gunpowder and match, 205, 213; committee, Assembly, 210; to make boom, 216; and purchase of lead, 224; and annuities on loans, 226; to lend to build pews, 228; repairs, College, 230; to provide powder, etc., for soldiers, 237; to distribute legacy, poor prisoners, 239; to enter College rental, 240; to repay debts, 245; to pay General's rent, 246; to repair and extend meal market, 247, 248; to repair bulwark of Leith, 248; committee, requests to King or Parliament, 249; and new coats for officers, 249; committee, trade with England, 253; App. i, 266.
- , —, payments to, 7, 12, 16, 24, 52, 79, 80.
- , —, payments by, gratuity to ministers, 4, 29; to Burghs, 7, 46; for Broughton, 12, 32; to Speir, 20; Heriot's affairs, 24; to bailies, 24; to Hay, 25; to principal, 29; to late regent, 31; redemption of annual, 31; equipment, recruits, 35; journey to E. of Seaforth, 48; journey to London, 53; journey to Stirling, 54; to late treasurer and dean of gild, 57; for plan of water works, 61; to sufferers by flood, 62; for bringing news, 77; for Town's signature, 77; money borrowed by Hay, 79; commissioners to Jedburgh, 80; for protocol books, 90; for letter, 90; to masters of Hospital, 95; for banquet, 105; arrears of teinds, 117; to Sharp, 118; envoy's expenses, 123; to musicians and painter, 129; of borrowed money, 130, 145; for repair of Currie church, 130; to drill master, 131; to West Kirk, 146; to Bishop's widow, 156; house rent of Chancellor, 163, 203; clothing for soldiers, 166; extent of printer's widow, 167; catalogue of library, 183, commissioners' expenses, 203; fire in Canongate, 234.
- , —, Accounts, 7, 13, 27, 33, 40, 80, 95, 132, 157, 166, 181, 193, 240.
- , —, Old scarlet gown for, 46, 49; committee, fartbings, 95; and dial for College, 210; to pay for cleaning armour, 210.
- TREASURY COURT of England, order payment to Adamson, 24.
- TRINITY COLLEGE CHURCH, xxxix, xlii, passages near, closed, 177; for N.E. parish, 253.
- HOSPITAL, *see* HOSPITALS.
- HOUSE, to be discussed, 175, 184; legacy to, 225.
- TRON, church at the, xxxix, xlii, xlviii; borrowing for, 199; award of Session, land for, 200; legacy for building, 225; legacy, morning preaching, 225, 226; estimate for finishing, App. ix, 307-11. *See also* CHURCHES.
- TROTTER, ANDREW, tack of mills to, 153.
- , HELEN, loan by, 198.
- , JOHN, *council*, 209; *bailie*, 251; donation to Paul's Work, 12; presents boys to Paul's Work, 18; tack of mills to, 38; payment to, Town affairs, 77; committee, trade with England, 253.
- , —, younger, *council*, 132; *bailie*, 196; *baron bailie*, 182; commissioner, liberties of France, 147, 153.



- TROTTER, JOHN, maltman in Leith, tack of mills to, 153.
- , PATRICK, tailor, *council*, 167.
- , ROBERT, contract, Paul's Work, 252.
- , WILLIAM, *council*, 182; *treasurer*, 244, 251; hearer of letters, 77; committee, government of merchants, 185; committee, trade with England, 253.
- TROUBLES, the, money borrowed during, 223; special committee during, 236; collection of extents during, 238; weekly meeting of neighbours during, 239; desertion of Town during, 241; gift for expenses of, 244.
- TURKS, prisoner of, 213.
- TUTTOP (TUTOP), *see* TITTOP.
- TWEEDIE (TUEDY), JAMES, skinner, *deacon*, 35, 49; complaint on behalf of skimmers, 40; commissioner, valuation of teinds, 55.
- , —, wright, *deacon*, 223, 244.
- , PATRICK, legacy for poor, 155.
- "TWO OF TEN," *see* TAXATION.
- UDWARD (UDDERT), Mr NATHANIEL, xxx, App. i, 258.
- , NICOL, *bailie*, 1, 81; *council*, 14, 97; *dean of gild*, 114; commissioner, Broughton, 6; commissioner, ships, 7; commissioner, revocation, 24; and Heriot's affairs, 26, 29, 30, 32, 33, 35; bond by, 40; committee, King's visit, 46, 100; committee, Parliament House, 104; inspector, High School, 106; deceased, 120; collection, Parliament House, 122; accounts, 142.
- , Mr NICOL, to place doors on close, 177.
- UNFREEMEN, xxxiv; of Wick, fined, 55; of Prestonpans, fined, 102; petition of wrights and masons against, 123; letting of houses to, 247; not to practice as surgeons, 250. *See also* TRADERS, unfree.
- UNICORN, the, App. vii, 294, 295.
- UNIVERSITY, the, *see* COLLEGE.
- UNLAWS, *see* FINES.
- URQUHART, DAVID, burgess, 6.
- VAGABONDS, *see* BEGOARS.
- VENNELS, fines for middens on, 121.
- VICTUAL, xxvi, xxx, xxxv, xxvi; customs on, 67; statute, forestalling, 91; ginrelling of, 93; customs on, in Dalkeith, 95; temporary storing of, 177.
- VINEGAR, Leith woman not to sell, 151.
- WAINSCOT, to be bought for churches, 184.
- WAKEFIELD (WALKFIELD), master of Correction House from, 110.
- WALKER (WAKER), GEORGE, *council*, 251.
- WALL, Town, to be extended, 175; middens not to be near, 247.
- WALLACE, SAMUEL, conservator depute, signs letter anent minister, App. ii, 271.
- , WILLIAM, *deacon*, 35, 49, 97; deceased, 99.
- WALLIS (WALLES, WAWES), JOHN, waulker, *deacon*, 1, 14, 59, 81, 167, 182, 223, 244.
- WAR, the King's Council of, *see* COUNCIL.
- WARD, *see* PRISON.
- WARDLAW, Sir HENRY, of Pittravie, legacies, 190; books left to college, xl, 202.
- , Mr JOHN, hands over father's legacies, 190.
- WARROCK, WILLIAM, skinner, to move from shop, 119.
- WATCH, xxii, li; accounts, 12; special, 231; armour for, 235; by companies, 240.
- WATCHING AND WARDING, extension of acts of Parliament anent, required, App. xii, 317.
- WATER BAILIE, *see* LEITH.
- WATER WORKS, payment for work anent, li, 63.
- WATERSTON, ARCHIBALD, furrier, *deacon*, 114.
- WATSON, FRANCIS, master of Paul's Work, apprentices to, 18.
- , JANET, admitted to the Hospital, 60.
- , JOHN, in Bonnington Mill, tack of mills to, 153.
- WAUCH, GEORGE, burgess and gildbrother, 205.
- , Master [ ], payment to, 222.
- WAULKERS, *deacon*, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251.
- WAWERS or WAUES, *see* WALLIS.
- WAX, exported, 168, 169, 196.
- WEAPON SHOWING, 25, 36, 43, 55, 74, 91, 106, 127, 142, 162, 176, 189, 237; postponed, 178.
- WEAVERS (WOBSTERS), *deacon*, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; of Leith, xxxiv, 208.
- WEBSTER (WOBSTER), WILLIAM, summoned before council, 3.
- WEDDELL, GILBERT, elder, Leith Kirk Session, 68.
- WEIGHHOUSE, clock in, 166.
- WEIR, JAMES, factor at Campvere, summoned before Burghs, 193; signs letter anent minister, App. ii, 271.
- , JOHN, valuation of lands, 119.
- , THOMAS, of Newton, valuation of lands, 119.
- , —, furrier, *deacon*, 1, 14, 59, 81, 117, 132, 182, 196.
- , —, skinner, to move from shop, 119.
- , —, pewterer, *council*, 1, 35; *deacon*, 167, 172; commissioner, convention, 9, 37, 44, 48; warden of Paul's Work, 24; committee, military affairs, 36; commissioner, revocation, 38; committee, King's visit, 46; master of Hospital, 60.
- , —, at Campvere, signs letter anent minister, App. ii, 271.
- WELANDS, Mr JAMES, vulgar school master and reader, 190.
- WELLS, pumps put in, 87.
- WEMYSS, Easter and Wester, xlii; valuation of teinds, 56, 57; tack, 56; gratuity to minister, 62; agreement as to teinds, 164, 171; minister, 174, 178, 199, 251; repair of manse, 190.
- WEMYSS, JOHN, Earl of, and teinds, 56, 164, 171; and minister, 174, 178; money due to, 206.
- , Mr MATTHEW, collection for famine, 147.
- WEST KIRK, *see* SAINT CUTHBERT'S.
- WESTMINSTER, letter dated at, App. i, 262, 266, 270.
- WESTON, letter dated at, App. i, 260, 261, 262, 268.
- WHEAT, export to Spain, 104, 151.
- WHEELBARROWS, for cleaning closes and vennels, 122.
- WHELPSIDE, tack of teinds, 40.
- WHIPPO (QUIIPPO), JOHN, baker, servant concerned in tumult, 144.
- WHITE, ANDREW, jailor, son appointed in his place, 148.

- WHITE, ANDREW, son of above, appointed, 148; dismissed, 199.  
 —, JOHN, in Town company, 2.  
 —, THOMAS, armorer, *deacon*, 1, 11, 97, 114, 196; *council*, 209; commissioner, revocation, 24; committee, Heriot's Hospital, 27; committee, convention, 116; committee, decay of trade, 116; and Council and Session's removal, 197; to inspect armoury, 204; committee, Parliament, 222.
- WHITEFORD (QUHYTFOOD), HEW, burgess and gildbrother, 188.  
 —, Dr. WALTER, Bishop of Brechin, 188.  
 —, Mr WALTER, parson of Moffat, lord of High Commission, 68.
- WHITEHALL, King's letters dated at, 3, 45, 133, 179, 221, 231, 236, App. i, 269.  
 —, Earl of Roxburgh's letter dated at, App. i, 279.
- WHITEHOUSE, dyke round lands of, 80.
- WHITELAW, tack of teinds, 39.
- WICK, unfreeman of, fined, 55.
- WIGHTMAN (WICHTMAN), HEW, legacy for poor, 162.
- WILKIE, DAVID, goods of, for export, 196.  
 —, FRANCIS, gauger-depute, 61.  
 —, JOHN, weaver, *deacon*, 167, 182.  
 —, Mr ROBERT, minister, parish of, 9.  
 —, WILLIAM, *bailie*, 186; *council*, 209; *baron bailie*, 59, 68.
- WILLIAMSON, GILBERT, *bailie*, 35, 167; *council*, 49, 182; *baron bailie*, 81; *water bailie*, 81, 132; *bailie* in charge of Leith affairs, 35; committee, Parliament House, 104; committee, decay of trade, 116; tenement of, for church, 181.
- WILSON, Dame ELIZABETH, Lady Pittravie, presents husband's legacies, 190.  
 —, JAMES, skinner, *council*, 223.  
 —, JOHN, writer, clerk of Kirk sessions, 216.  
 —, —, mariner in Leith, assault by, 21.  
 —, —, sent with letters, 151.  
 —, ROBERT, wright, *deacon*, 150, 167.  
 —, THOMAS, skipper of the *John* of Leith, bill of health to, 196; money borrowed from, 219; App. vii, 295.
- WINDSOR, xxvii.
- WINE, inhabitants of Leith not to sell, 42; unlawful trade in, 102; sale of, in baronies, App. xii, 317.
- WINTON, Earl of, servant made burgess, 149; signs letter to King, App. iv, 279.
- WISEMAN (WYSEMAN), Mr JAMES, regent of humanity, 183; regent of philosophy, 210.
- WISHART (WISCHEART, WISCHEART), Mr WILLIAM, minister at Leith, 110.  
 —, —, parson of Restalrig, burgess and gildbrother, 179.
- WOBSTERS, *see* WEAVERS.
- WOOD, JOHN, money borrowed from, 129.  
 —, PATRICK, *council*, 182; money borrowed from, 79, 128, 145, 162; committee, convention, 116.
- WOOL, regraters of, 80; statute, market, 92.
- WORK, Master of, for churches, 186.
- WORKMEN, payment to, for cleaning armour, 210; acts of parliament anent wages, renewal desired, App. xii, 317.
- WRIGHTS, *deacon*, 1, 14, 35, 49, 59, 81, 97, 114, 132, 150, 167, 182, 196, 209, 223, 244, 251; ratification of statutes, 123; master, 186; frames in armoury, 210.  
 —, ARCHIBALD, weaver, *deacon*, 97, 114, 209, 223.  
 —, Mr JAMES, regent of philosophy, 210, 245.
- WRITERS, xiv; and election of regent, 71; and stipends, 188, 191; and defence of Town, 214.
- WYLLIE, DAVID, bonnetmaker, *deacon*, 209, 223.
- WYNDS, Bell's, 181; Beth's, 148; Forrester's, 254; Horse, 254; Leith, 10, 102, 172, 237; Niddrie's, 226, 246; Peebles, 253, 254.
- WYNRAHAME, JAMES, of Liberton, legacy to Hospital, 118.  
 —, Mr ROBERT, Burgh's agent, 7, 46.
- YAIR, JOHN, payment to, 25; chaplain, 54; collector Kirk rents, 55; gauger-general depute, 55; accounts, Kirk rents, 133, 147; App. i, 258.
- YANSON DE GRAVE, PETER, of Middleburg, admitted cooper in Leith, 222.
- YARN, Privy Council's order anent, 99.
- YESTER, Dame MARGARET KER, Lady, *see* KER.
- YORK, xxiii.
- YOUNG, Mr ANDREW, minister at Abercorn, 210.  
 —, HARRY, presents mathematical books, etc., 170; burgess and gildbrother, 170.  
 —, JOHN, elder, Leith Kirk Session, 69.  
 —, Mr ROBERT, son of Mr Andrew, regent of humanity, 210.  
 —, ROBERT, printer, burgess, 109.
- ZUITLAND in Denmark, timber to be got from, 184.



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